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TWENTY-THIRD ANNUAL REPORT OF THE BUREAU OF CIVIL SERVICE

TO THE
GOVERNOR-GENERAL
OF THE PHILIPPINE ISLANDS

FOR THE
YEAR ENDED DECEMBER 31, 1922

MANILA
BUREAU OF PRINTING
1923

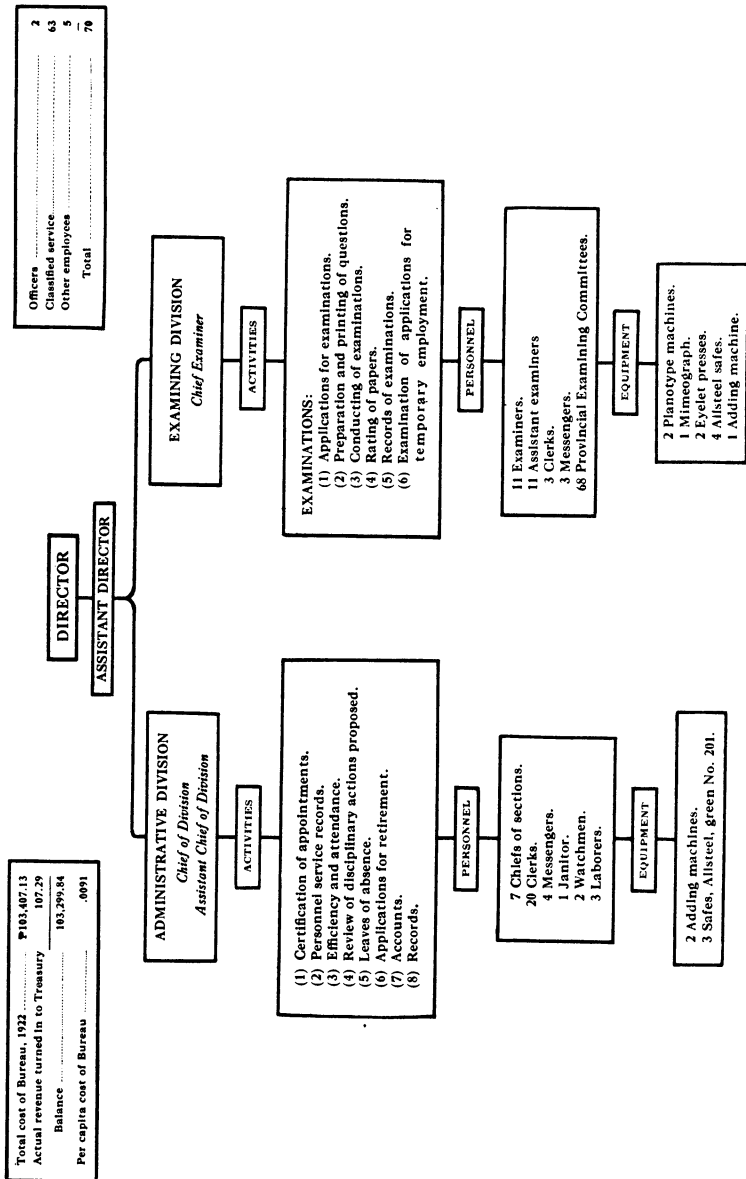
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ORGANIZATION DIAGRAM OF THE BUREAU OF CIVIL SERVICE

AS OF FEBRUARY 1, 1923



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TWENTY-THIRD ANNUAL REPORT OF THE BUREAU OF CIVIL SERVICE

THE GOVERNMENT OF THE PHILIPPINE ISLANDS

BUREAU OF CIVIL SERVICE

MANILA, *February 27, 1923*

SIR: I have the honor to submit the following report on the work of this Bureau for the year ending December 31, 1922:

APPLICATIONS FOR EXAMINATIONS

During the year 1922 there were 11,304 applications for examinations received, which was a decrease of 1,510 over the figures for 1921. The decrease is due to the reduced number of examinations given during the year. It was observed, however, that in the examinations held in Manila, the number of persons applying at one time was greater in many cases than that in the previous year. The applications received were as follows:

Educational:	
Approved	9,190
Disapproved	1,555
Non-educational and temporary employment.....	559
Total	11,304

The reasons for the disapproval of the applications appear below:

1. Not eligible	875
2. Non-compliance and no permission.....	298
3. Applications incomplete or late.....	114
4. Physical disability, under-weight, under-height, over-age, underage.....	96
5. False statement (fraud).....	62
6. All others.....	110
Total	1,555

It will be seen that nearly 14 per cent of the applications received were disapproved for one reason or another. Over one-half of those disapproved were for non-eligibility. This high proportion is due no doubt partly to the raising of the requirements in several examinations and the failure of applicants to acquaint themselves with the new requirements. A

little over 2 per cent of the total number of applications for educational examinations were disapproved for non-compliance with minor requirements for the completion of their applications. In addition there were 84 papers cancelled for not filing applications. These two classes represent the number of applicants who take civil service examinations out of mere curiosity, or for the simple purpose of testing their ability. Of the applications received 5 per cent were for temporary appointment, a great portion of which were for the teaching service.

EXAMINATIONS HELD

The following shows the number of persons examined during the year:

Educational	9,099
Non-educational	39

Of the foregoing 17 were examined for positions not in the classified service in the Philippine Islands as follows:

Federal service:

First grade.....	4
Stenographer	1
Junior translator, Veteran's Bureau.....	1
Designation to United States Naval Academy.....	2
Designation to United States Military Academy.....	9

The number of persons who competed in educational examinations given in English was 8,786 and in those given in Spanish 278, as compared with 10,062 and 296, respectively, for the previous year. Of the total number of persons who took educational examinations approximately 26 per cent passed or 5 per cent more than that for the previous year.

As already indicated, the decrease in the total number of persons examined is due to the reduced frequency of examinations and the new requirements prescribed. No second grade examination was held in Manila during the year, and it was given but once in the provinces. In several instances, however, a record number of persons competed in a particular examination, as in the junior typist and junior stenographer examinations held in September which had 234 and 177 competitors, respectively. The same is true of the first grade examination held on November 25, in which there were 575 competitors. There were 83 kinds of educational examinations given as compared with 86 for the previous year. A complete list of the examinations given is appended hereto.

NEW REQUIREMENTS AND NEW EXAMINATIONS

Numerous changes were found advisable in the qualifications for certain examinations and in the subjects and weights for

others. A careful study was made of the results in each examination. These were compared with those obtained in other examinations and with examinations in the same subject in previous years. From this study it was possible to select fairer questions and provide tests best qualified for securing the best eligibles for each position. Theoretically the civil service examination should be opened to all who apply. Practically, however, many have no possibility of passing, so that it is economy for all concerned to eliminate from the examination all who have no reasonable chance of passing. This the Bureau strives to do by raising entrance requirements. During the year the requirements were raised in the following examinations: division superintendent of schools, assistant sanitary inspector, third-class patrolman, stenographer, assistant surveyor, junior surveyor, teacher, and telephone operator. In addition the following new examinations were given during the year: commercial agent, overseer (Bureau of Public Works), assistant superintendent of penal colony, social worker (Public Welfare), and municipal treasurer.

COMPETITORS

Of those who entered educational examinations for the Insular service during the year 30 were Americans as compared with 46 for the preceding year. They competed in 11 examinations as follows: division superintendent of schools, 6; civil engineer, 2; first grade, 1; forester, 1; assistant plumbing inspector, 1; first class patrolman, 4; first class sergeant, 9; stenographer, 2; junior stenographer, 1; teacher, 2; typist, 1. The five examinations in English which had the greatest number of competitors were: second grade, 1,343; first grade, 1,269; third grade, 1,212; junior teacher, 522; junior typist, 344; and the five examinations in Spanish having the greatest were: second grade, 89; municipal treasurer, 44; assistant sanitary inspector, 39; stenographer, 21; junior stenographer, 19. The number of competitors in the first grade (English) examination is the highest ever reached, being 268 more than the figure for the previous year. This marked increase was no doubt due to the great number of high-school graduates taking university courses at night, especially law, who desire to enter the government service.

EXAMINING COMMITTEES

As in 1921, there were 68 examining committees. Two committees, Dipolog, Zamboanga, and Balasan, Iloilo, were created and two, Baler, Tayabas, and Laoang, Samar, were abolished.

On account of the difficulty of transportation to the nearest examining committee from Dipolog and Balasan and the educational facilities available to the inhabitants thereof and nearby towns, it was thought most advisable to create these committees. The examining committee at Baler was abolished partly because of the small number of applicants, partly because of the failure of applicants to present themselves at the time of the examination, and partly to the lack of available personnel for the committee. In view of the creation of the committee at Catarman, Samar, on November 2, 1921, the committee at Laoang was abolished on May 10, 1922. It is a cause for regret that it was necessary to recommend administrative action in several cases for negligence in conducting the work of the Bureau by members of local committees. Some of this was due to ignorance of the rules and may be prevented by the issuance of the new booklets.

IRREGULARITIES IN EXAMINATIONS AND FRAUD

Otherwise the examining committees had clean records in 1922. There were no irregularities of any importance observed except one where, due to improper watching on account of the absence of all but one regular member of the committee, the paper of several competitors were cancelled for collusion.

Fewer cases of fraud in applications were observed during the year, there being only 0.5 per cent of the total number of applications received disapproved on this account. A case is now pending in court, in which one party is accused of taking an examination for another, the latter obtaining a position as a result thereof. It is believed that the two persons will be convicted. Private individuals have rendered much assistance to this Bureau by furnishing information of applicants making false statements in their applications or of unfitness for public service on account of bad conduct and questionable character. Such cases are always investigated without publicity of any kind to any of the parties unless guilt is determined or malice found.

COOPERATION

This office desires again to acknowledge the splendid assistance given to it by the employees of the different agencies of the government, in its attempts to secure efficient employees and raise the standard of the public service. In general all of the different bureaus have responded promptly and willingly to

requests for assistance, and have thus made it possible for this office to expedite its work greatly.

Unfortunately there are a few offices which have a tendency to neglect work of this Bureau in the preparation of questions and the rating of papers. One instance of this kind occurred during the year, in which the rating of a small set of papers, requiring not over four hours work, was delayed for a period of nearly six months, the Bureau concerned always claiming that it was too busy to do the work. Such delay only interferes with the activities of the Bureau concerned, in delaying the certification to it of eligibles.

This Bureau would much prefer to have its own examiners do all the preparing of questions and rating of papers if that were practicable. However in fairness to the applicants the handling of technical subjects must be turned over to those especially qualified to handle them. Great effort is exerted to reduce this work to a minimum and this Bureau is anxious to assist in every possible way.

NEW REGULATIONS

In preparation for the publishing of a New Manual of Information several changes in the regulations of the Bureau have been made or are contemplated. These are chiefly in respect to the qualifications required for admittance to certain examinations, or in the time allowed for the examination. These changes will all appear in the new Manual of Information which it is hoped can be issued July 1, 1923. One important change has already been issued to the field and is now in effect. Provincial applicants will no longer be allowed to take an examination without previous permission from this office. In the grade or clerical examinations if they have filed an application but have not received permission to enter, they may be admitted providing they file a written statement that they have already sent an application, provided also that they are eligible, and provided there are enough sets of question papers for them. A few extra sets of questions are sent to the local examining committees for the grade examinations, but for technical examinations, questions are sent only for those who have filed approved applications with this office early enough to permit the sending of questions.

PRACTICAL EXAMINATIONS

During the year special efforts were made by the Examining Division to make its examinations more practical and a better

test of efficiency. The oral interview was introduced as one of the subjects in certain examinations. A careful study was made of the results obtained in the different examinations, and figures were compiled for the ratings received in all subjects in all examinations during the year. The results were interesting and of value in determining the subjects which were most difficult. In practically all of the examinations in which English Composition, such as letter or thesis writing, was a subject, it was found to receive the lowest rating of all subjects. In most cases where History and Government constituted a subject, it ranked next to English Composition in difficulty. Geography also fell quite low in the scale while Arithmetic was rather high. As a result of this study the questions in those subjects which are most difficult have been given particular attention to see that they are perfectly fair and practical. It is the policy to provide practical examinations for every position in the classified service so far as the capacity of the examining force will permit.

Considerable study has been made also of psychological and intelligence tests, and a small attempt made to compare their results with the regular examinations. It is hoped to try them out on a much larger scale during 1923, and where possible adapt them to our use.

ORIGINAL APPOINTMENTS

During the year 1922, the number of Americans originally appointed in the classified service was 75, distributed as follows: 62 teachers; 9 first-class patrolmen; 1 foreman; 1 launch foreman; 1 forester; and 1 assistant plumbing inspector. This number is 18 less than the figure for 1921 and is the smallest since 1906.

The following table shows the comparative number of original appointments made in the classified service since 1906:

Year	English examination, number of—		Spanish examination, number of—		Total
	Americans	Filipinos	Americans	Filipinos	
1906	261	174	300	735	
1907	307	204	226	737	
1908	385	419	355	1,159	
1909	343	354	226	923	
1910	316	476	135	927	
1911	409	594	191	1,194	
1912	322	606	110	1,038	
1913	262	817	87	1,166	
1914	93	660	68	821	
1915	112	717	86	915	
1916	116	1,390	189	1,695	
1917	76	1,177	106	1,359	
1918	83	1,726	93	1,902	
1919	82	1,933	30	2,045	
1920	113	1,794	22	1,929	
1921	93	1,178	65	1,336	
1922	75	1,312	60	1,447	

The number of Filipinos originally appointed was 1,372, or 129 more than that for the preceding year. Of this number, 1,312 were recruited from English examinations and 60 appointed as a result of Spanish examinations.

There were 67 persons brought from the United States as compared with 94 for the preceding year. Of the 67 persons appointed in the United States, 5 were Filipinos.

The following table shows the comparative number of appointments made in the United States each year to positions in the classified service of the Philippine Islands since 1903:

Year	Original	Reinstatement	Total	Year	Original	Reinstatement	Total
1903.....	179		179	1913.....	145	11	156
1904.....	338		338	1914.....	49	6	55
1905.....	225		225	1915.....	73	18	91
1906.....	142	12	154	1916.....	83	16	a 99
1907.....	187	16	203	1917.....	44	6	a 50
1908.....	252	30	282	1918.....	73	2	b 75
1909.....	235	22	260	1919.....	62	1	c 63
1910.....	164	16	180	1920.....	95	4	a 99
1911.....	244	24	268	1921.....	90	4	d 94
1912.....	230	13	243	1922.....	66	1	b 67

a 1 Filipino.

b 5 Filipinos.

c 3 Filipinos.

d 14 Filipinos.

Statistics showing the appointments made in the classified civil service during the year may be found in the appendix of this report.

REINSTATEMENTS

The following table shows the comparative number of reinstatements made during the last ten years:

Year	In the United States		In the Philippine Islands		Total
	Americans	Filipinos	Americans	Filipinos	
1913.....	11		78	235	324
1914.....	6		36	184	226
1915.....	18		34	180	232
1916.....	15	1	23	255	294
1917.....	5	1	17	229	251
1918.....	1	1	19	371	392
1919.....	1		8	434	443
1920.....	4		9	477	490
1921.....	3	1	16	378	398
1922.....	1		19	368	388

The number of reinstatements in the classified service during the year is 388 which shows a decrease of 10 as compared with 398 for the preceding year.

APPOINTMENTS BY PROMOTION, REDUCTION OR TRANSFER

The total number of appointments made by promotion, reduction, or transfer of employees shows a considerable decrease as compared with the five preceding years. The decrease in the

number of promotions no doubt was due to the promotion restrictions. There were 43 cases of reduction in salaries, as compared with 59 for the preceding year. The causes of these 43 appointments by reductions in salaries were: reduction of appropriations, 30; request by employees, 8; disciplinary measure, 5. The more or less uniform policy observed by the several bureaus with regard to promotions was responsible for the marked decrease in the number of cases of transfer.

The comparative number of appointments made in the service by promotions, reductions and transfer during the last ten years will be found in the following table:

	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922
Promotions.....	2,675	2,331	2,628	1,641	3,469	5,783	6,701	7,598	4,755	2,620
Reductions.....	23	41	21	11	29	28	36	22	59	43
Transfers.....	232	352	275	471	700	849	885	828	629	462
Total.....	2,930	2,724	2,924	2,123	4,198	6,660	7,622	8,448	5,443	3,125

APPOINTMENTS TO THE FEDERAL SERVICE

During the year, 12 persons were appointed in the Federal civil service in the Islands upon certification by the Bureau of Civil Service, 4 Americans and 8 Filipinos. The statistics showing the appointments made in the Federal civil service in the Philippine Islands during the year 1922 upon certification of the Bureau, may be found in the appendix of this report.

The following table shows the comparative number of appointments made in the Federal service in the Islands upon certification by this Bureau since 1913:

Year	Original		Promotion, transfer, or reinstatement		Total
	Americans	Filipinos	Americans	Filipinos	
1913.....	36	6	4	3	49
1914.....	5	9	14	1	29
1915.....	9	1	-----	1	11
1916.....	4	1	6	-----	11
1917.....	6	-----	7	-----	13
1918.....	14	2	8	1	25
1919.....	5	1	3	1	10
1920.....	10	8	1	1	20
1921.....	5	8	2	1	16
1922.....	2	6	2	2	12

PERSONNEL

The total number of persons regularly appointed in the Philippine civil service as of July 1, 1922, was 14,330 (604 Americans and 13,726 Filipinos) as compared with 13,854 (614 Americans and 13,240 Filipinos) for the preceding year. There was a net increase of 476 persons in the personnel and ₱647,786 in

the amount of salaries paid. The average salary received by the American employee in 1922 was ₱4,233.33 per annum and by the Filipino employee ₱1,193.82, as compared with ₱3,524.45 and ₱916.45 in 1913, respectively. While the "money wage" is greater it is not believed that the average government employee is much better off nowadays owing to the corresponding increase in the cost of living.

Tables showing the number of Americans and Filipinos regularly appointed in the different bureaus and offices as of July 1, 1922, comparison of number of employees and salaries in different branches of the civil service since 1913, and the number and salaries of Americans and Filipinos in the service and the salaries paid at the middle of the fiscal years since 1903, are shown in the appendix to this report.

TEMPORARY EMPLOYMENT

A table showing the comparative number and salaries of temporary employees since 1914 will be found in the appendix to this report.

The number of temporary employees holding clerical positions on July 1, 1922, was 406 which is 126 less than that for the preceding year. There was only one American temporarily employed in the clerical service, as compared with two in the preceding year. However, 9 more Americans were temporarily appointed to unclassified and non-clerical positions than in 1921. This was due to the appointments of American temporary teachers in the Bureau of Education, and of technical or skilled employees in other bureaus and offices.

There was a reduction of 267 persons in the total number of Filipino employees holding unclassified and non-clerical positions on July 1, 1922, distributed as follows; Insular service and Judiciary, 204; Municipal service of Manila, 90. There were, however, slight increases in the following two branches of the service; Provincial service, 25; Municipal service of Baguio, 2. The important decreases were in the following bureaus and offices: Bureau of Public Works, 88; Bureau of Agriculture, 77; Bureau of Education, 36; Bureau of the Treasury, 34; Philippine General Hospital, 27; Bureau of Lands, 24; Bureau of Internal Revenue, 22; Metropolitan Water District, 11; Bureau of Customs, 9; Bureau of Labor, 9; Fire Department, 15; Police Department, 87; and Department of Engineering and Public Works, 71. Considerable increases in the number of temporary employees were found in the following bureaus and offices; Philippine Health Service, 134; Department of City Schools of Manila, 78.

Reduction of temporary employment is one of the prime objectives, hence this Bureau opposed the measure recently introduced in the Legislature granting temporary employees classified civil service status after ten years of service regardless of examination requirement. It is believed that an employee who cannot qualify for permanent appointment during that period will in most cases be found to be poor material for the service.

SEPARATIONS

The comparative number of separation of Americans and Filipinos during the last four years may be found in the following table:

Year	Number of employees		Number of separations				Percentage of separations			
	Americans	Filipinos	Americans		Filipinos		Americans		Filipinos	
			Voluntary	Involuntary	Voluntary	Involuntary	Voluntary	Involuntary	Voluntary	Involuntary
1919.....	760	12,047	243	19	1,140	230	<i>P. ct.</i> 32	<i>P. ct.</i> 3	<i>P. ct.</i> 9	<i>P. ct.</i> 2
1920.....	582	12,561	223	36	1,559	265	38	6	12	2
1921.....	614	13,240	104	10	971	334	17	2	7	3
1922.....	604	13,726	117	22	953	390	19	4	7	3

There were 1,482 persons separated from the service during the year as compared with 1,419 in the preceding year, or an increase of 63. The cause of the increase was the big number of separations in the unclassified civil service on the expiration of terms of office as a result of the 1922 elections. The causes of the involuntary separations were: for cause, 157; death, 74; abolition of position or reduction of force, 68; forced resignation, 7; physical disability, 4; expiration of term of office, 102. The total number of separations represents a turnover of 10 per cent.

The comparison of number of involuntary separation during the preceding four years is shown in the following table:

	1919		1920		1921		1922	
	Americans	Filipinos	Americans	Filipinos	Americans	Filipinos	Americans	Filipinos
For cause	12	122	25	175	5	183	12	145
Death	7	89	7	72	3	85	7	67
Abolition of position or reduction of force		1	2	13	2	58	2	66
Forced resignations		18		5		3		7
Physical disability						5	1	3
Expiration of term of office								102
Total	19	230	36	265	10	334	22	390

LEAVE OF ABSENCE

The following figures reflect the number of applications for leave (excluding those of judges) which were acted upon by the

Bureau of Civil Service during the last six years: 1917—27,415; 1918—36,701; 1919—40,610; 1920—44,212; 1921—47,725; and 1922—52,271. The ever increasing number of applications received may be attributed to the natural growth of the service.

RETIREMENT

During the year 1922 there were 63 persons who were granted retirement under Act 2589, 32 Americans and 31 Filipinos. The following table is a detailed statement of the operation of the Retirement Act No. 2589 since its enactment in 1916:

Year	Number retired		Total salaries		Gratuities			
	Americans	Filipinos	Americans	Filipinos	Americans		Filipinos	
					Total	Average	Total	Average
1916.....	298	61	P1,175,213.00	P71,124.00	P1,053,357.00	P3,534.76	P66,022.00	P1,082.33
1917.....	187	28	847,117.80	40,650.80	769,239.19	4,113.58	39,899.60	1,424.99
1918.....	153	31	672,898.00	29,722.00	643,020.40	4,202.75	29,243.20	943.33
1919.....	155	40	615,366.80	44,261.00	536,640.80	3,462.20	41,762.00	1,044.05
1920.....	120	52	529,046.00	82,101.25	472,666.15	3,938.88	84,083.25	1,616.99
1921.....	28	46	165,700.00	88,384.05	162,278.00	5,795.64	88,438.05	1,922.57
1922.....	32	31	184,238.00	45,807.75	175,090.00	5,471.88	44,131.75	1,423.60
Total.....	973	289	4,189,579.60	402,050.85	3,812,291.54	30,519.69	393,579.85	9,457.86

The total liability of the Government under the Retirement Law since 1916 up to December 31, 1922, is ₱4,205,871.39, of which ₱3,825,162.74 had been paid up to that date.

The amount paid during the year 1922 was ₱397,886.44 as compared with ₱537,134.11 paid during 1921, while the liability incurred on account of the retirement authorized during 1922 is ₱219,221.75, as compared with ₱250,716.05 for 1921.

In connection with the assignment of retirement gratuities to the Postal Savings Bank which was suspended by the resolution of the Board on June 20, 1921, for lack of funds, it may be stated that the Postal Savings Bank Board at its meeting held on December 27, 1922, decided to continue the discounting of retirement gratuities and raised the rate of interest from 4 per cent to 6 per cent per annum.

FINANCIAL STATEMENT

Of the appropriation of ₱113,940 for the Bureau, a total of ₱103,407.13 was expended during the year thereby effecting a saving of ₱10,532.87.

This sum, together with the income of the Bureau during the year amounting to ₱107.29, gives a total of ₱10,640.18 which reverted to the Insular Treasury on December 31, 1922. It may be interesting to note that the Bureau's appropriation constituted only 0.0024 of the Government budget, and that the cost per

capita of the operations of the Bureau was ₱.011. The latter sum represents the contributions of each inhabitant to the civil service cause in the Philippine Islands.

The financial statement of the Bureau for the year 1922 may be seen in the following table:

Purpose	Expenditure	Appropriation	Saving	Deficit
Salaries and wages.....	₱83, 189. 42	₱88, 780. 00	₱5, 590. 58	-----
Contingent expenses:				
Travel expense of personnel	687. 45	1, 010. 00	412. 55	-----
Freight, express, and delivery service	54. 26	135. 00	80. 74	-----
Postal, telegraph, telephone and cable service	2, 035. 23	2, 460. 00	424. 77	-----
Illumination and power service	783. 07	2, 000. 00	1, 216. 93	-----
Other services	171. 09	350. 00	178. 91	-----
Rental of buildings and grounds	9, 914. 75	9, 915. 00	.25	-----
Consumption of supplies and materials	5, 138. 35	6, 500. 00	1, 361. 65	-----
Printing and binding reports, documents, and publications	1, 199. 65	2, 000. 00	800. 35	-----
Maintenance and repairs	127. 05	300. 00	172. 95	-----
Total for contingent expenses	20, 010. 90	24, 660. 00	4, 649. 10	-----
Furniture and equipment	206. 81	500. 00	293. 19	-----
Grand total.....	108, 407. 13	113, 940. 00	10, 532. 87	-----

PERSONNEL OF THE BUREAU

During the year one junior stenographer, one clerk, and two messengers transferred to other bureaus and offices; and one examiner, one junior examiner, and one clerk resigned. It is regretted that on account of the limited appropriation of the Bureau it has been found difficult to retain the services of these men.

Respectfully submitted,

JOSÉ GIL
Director

To His Excellency
The GOVERNOR-GENERAL
Manila, P. I.

APPENDIX

TABLE A.—Results of educational examinations in English taken by Filipinos during the year 1922

Kind of examination	For original appointment						For promotion or transfer.						Total					
	Number examined		Number passed		Per cent passed		Number examined		Number passed		Per cent passed		Number examined		Number passed		Per cent passed	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
1. Agent, Internal Revenue							14		1		7		14		1		7	
2. Agent's assistant, Internal Revenue	25						11						36					
3. Agricultural assistant	48		12		25		2		1		50		50		13		26	
4. Agricultural assistant, junior	45		7		16								45		7		16	
5. Apprentice	34		17		20		3						87		17		20	
6. Assistant agriculturist							2		1		50		2		1		50	
7. Assistant agronomist							3		1		33		3		1		33	
8. Assistant horticulturist							1		1		100		1		1		100	
9. Assistant plant pathologist	2		1		50								2		1		50	
10. Bacteriologist, assistant							5		2		40		5		2		40	
11. Bacteriologist, junior	1	2		2		100							1	2		2		100
12. Bookkeeper	7		4		57		31		10		32		38		14		37	
13. Bookkeeper, junior	138	3	29	1	21	33	56		20		36		194	3	49	1	25	33
14. Cadet (U. S. Military Academy)	7		3		43		2		2		100		9		5		56	
15. Chief electrician ^a	5						1						6					
16. Chemist, junior		1												1				
17. Clerk carrier (Post Office Service)	193	4	57		30		7		3		43		200	4	60		30	
18. Clerk of court	2						4						6					
19. Commercial agent	5		3		60		1						6		3		50	
20. Computer (Coast and Geodetic Survey)	2						1						3					
21. Computer, junior	96		27		28								96		27		28	
22. Deputy mineral surveyor	2						6		2		33		8		2		25	
23. Division superintendent of schools							10		4		40		10		4		40	
24. Draftsman, junior architectural	10		5		50		2						12		5		42	
25. Draftsman, junior topographical	72		3		4								72		3		4	
26. Engineer, assistant civil	31		13		42		1						32		13		41	
27. Engineer, assistant electrical ^a	2						1						3					
28. Engineer, assistant mechanical ^a	8						1						9					
29. Engineer, civil	8						9		2		22		17		2		12	
30. Engineer, junior assistant civil	4						1						5					
31. Engineer, junior electrical ^a	2						3						3					
32. Engineer, sanitary	2		2		100								2		2		100	
33. Fireman, second class	19		8		42								19		8		42	
34. First grade	418	5	105		25		851	1	237		28		1,269	6	342		27	
35. Forester	1		1		100		1						1		1		100	
36. Inspector, assistant building	38		1		3		4						42		1		2	
37. Inspector, assistant fiber	2						10		5		50		12		5		42	
38. Inspector, assistant plumber							1						1					
39. Inspector, assistant sanitary	278		36		13		9		4		44		287		40		14	
40. Inspector, junior assistant fiber	6		1		17		2		2		100		8		3		38	
41. Inspector, factory	7		1		14		1						8		1		13	
42. Inspector, medical							1		1		100		1		1		100	
43. Inspector, public lands	5		1		20		20		5		25		25		6		24	
44. Law clerk	5		2		40		5		4		80		10		6		60	
45. Matron		3		1		33		2		1		50		5		2		40
46. Medical officer	4	1	1	1	25	100							4	1	1	1	25	100
47. Messenger	228		64		28								228		64		28	
48. Midshipman (U. S. Naval Academy)	2												2					
49. Nurse	1	9	1	9	100	100							1	9	1	9	100	100
50. Nurse (Social Service)	1	7	1	4	100	57							1	7	1	4	100	57
51. Observer, first class Weather							1		1		100		1		1		100	
52. Observer, second class Weather	6		2		33								6		2		33	
53. Operator, telephone	20	21	3	5	15	24							20	21	3	5	15	24
54. Overseer	41		10		24		4		1		25		45		11		24	
55. Patrolman, third class	136		58		43		3		3		100		139		61		44	
56. Pharmacist	3	3	3	3	100	100							3	3	3	3	100	100
57. Prison guard, first class							1		1		100		1		1		100	
58. Prison guard, fourth class	258		23		9		3		1		33		261		24		9	
59. Second grade	989	28	346	9	35	32	354	15	76	1	21	7	1,343	43	422	10	31	23
60. Sergeant, second class (Police)							112		17		15		112		17		15	
61. Social worker	3		3		100								3		3		100	
62. Stenographer	8	1					42	2	6		14		50	3	6		12	
63. Stenographer, junior	208	41	28	12	13	29	106	3	14		13		314	44	42	12	13	27
64. Superintendent of penal colony, assistant	3		3		100		2		2		100		5		5		100	
65. Surgeon	10		3		30								10		3		30	
66. Surgeon senior	1		1		100		2		1		50		3		2		67	
67. Surveyor, assistant	4						82		8		10		86		8		9	
68. Surveyor, junior	93		36		39		7						100		36		36	
69. Teacher	28	4	2		7		84	7	4	1	5	14	112	11	6	1	5	9
70. Teacher, junior	520	72	71	4	14	6	2		1		50		522	72	72	4	14	6
71. Teacher of agriculture, junior	145		20		14		2						147		20		14	
72. Teacher of domestic science, junior		116		10		9								116		10	9	
73. Teacher of woodworking, junior	59		8		14								59		8		14	
74. Third grade	1,201	92	532	38	44	41	11		8		73		1,212	92	540	38	45	41
75. Translator	7		2		29		5		1		20		12		3		25	
76. Translator, junior	13		1		8		6						19		1		5	
77. Translator, junior (U. S. Vet. Bureau)	1												1					
78. Treasurer, assistant provincial	2						111		9		8		113		9		8	
79. Treasurer, municipal	211	2	14	1	7	50	112	1	14		13		323	3	28	1	9	33
80. Tyniat	3	1					33		19		36		32	1	19		32	
1916	8,569		2,450		29		1,325		238		18		9,894		2,688		27	
1917	7,678		1,894		25		1,877		381		20		9,355		2,275		24	
1918	9,203		2,307		25		2,496		539		22		11,699		2,846		24	
1919	8,871		1,810		20		2,690		427		16		11,561		2,237		19	
1920	10,576		2,148		20		3,949		640		16		14,525		2,788		19	
1921	7,570		1,576		21		2,440		464		19		10,010		2,040		20	
1922	6,410		1,721		27		2,376		555		23		8,786		2,276		26	

TABLE B.—Results of the examinations in English taken by Americans during the year 1922

Kind of examination (Educational)	For original appointment			For promotion or transfer			Total		
	E x a m- ined	Passed	Per cent passed	E x a m- ined	Passed	Per cent passed	E x a m- ined	Passed	Per cent passed
1. Division superintendent of schools				6	5	83	6	5	83
2. Engineer, civil	2						2		
3. First grade	1						1		
4. First grade (Federal service)	4	2	50				4	2	50
5. Forester	1	1	100				1	1	100
6. Inspector, assistant plumber	1	1	100				1	1	100
7. Patrolman, first class	4	4	100				4	4	100
8. Sergeant, first class (Mun. police)	1	1	100	8	4	50	9	5	56
9. Stenographer	2						2		
10. Stenographer (Federal service)	1	1	100				1	1	100
11. Stenographer, junior	1	1	100				1	1	100
12. Teacher	2	2	100				2	2	100
13. Typist	1						1		
Total	21	13	62	14	9	64	35	22	63
1916	111	60	54	12	2	17	123	62	50
1917	120	81	68	10	9	90	130	90	89
1918	52	38	73	14	9	64	66	47	71
1919	34	21	62	2	2	100	36	23	64
1920	59	25	42	9	4	44	68	29	43
1921	46	27	59	6	3	50	52	30	58
1922	21	13	62	14	9	64	35	22	63

TABLE C.—Results of the examinations in Spanish taken by Filipinos during the year 1922

Kind of examination (Educational)	For original appointment			For promotion or transfer			Total		
	E x a m- ined	Passed	Per cent passed	E x a m- ined	Passed	Per cent passed	E x a m- ined	Passed	Per cent passed
1. Agent's assistant, Internal Revenue	3						3		
2. Clerk of court	1						1		
3. Computer, junior	2						2		
4. Draftsman, junior architectural	4						4		
5. Draftsman, junior topographical	3	1	33				3	1	33
6. First grade	1			7			8		
7. Gas meter tester	1						1		
8. Inspector, assistant building	1						1		
9. Inspector, assistant sanitary	38	2	5	1			39	2	5
10. Inspector, factory	3	2	67				3	2	67
11. Inspector, public lands	8	1	13	8			16	1	6
12. Law clerk	1						1		
13. Observer, first class Weather				1	1	100	1	1	100
14. Observer, second class Weather	1						1		
15. Operator, telephone	1						1		
16. Patrolman, third class	16	8	50				16	8	50
17. Pharmacist	1						1		
18. Prison guard, fourth class	3	1	33				3	1	33
19. Second grade	63	13	21	26	7	27	89	20	22
20. Stenographer	8	2	25	13	5	38	21	7	33
21. Stenographer, junior	18	6	33	1	1	100	19	7	37
22. Treasurer, municipal	23			21			44		
Total	200	36	18	78	14	18	278	50	18
1916	1,057	261	25	235	46	20	1,292	307	24
1917	879	116	13	273	55	20	1,152	171	15
1918	266	61	23	208	55	26	474	116	24
1919	231	34	15	162	35	21	393	69	18
1920	258	63	24	138	56	40	396	119	30
1921	206	37	18	90	29	32	296	66	22
1922	200	36	18	78	14	18	278	50	18

TABLE D.—Summary of educational examinations held during the year 1922

Tables	For original appointment			For promotion or transfer			Total		
	Ex a m- ined	Passed	Per cent passed	Ex a m- ined	Passed	Per cent passed	Ex a m- ined	Passed	Per cent passed
Filipinos (English)—A.....	6,410	1,721	27	2,376	555	23	8,786	2,276	26
Americans (English)—B.....	21	13	62	14	9	64	35	22	63
Filipinos (Spanish)—C.....	200	36	18	78	14	18	278	50	18
Total.....	6,631	1,770	27	2,468	578	23	9,099	2,348	26
Year ended September 30—									
1901.....	1,762	841	48	58	41	31	1,820	882	48
1902.....	3,339	1,710	51	590	334	57	3,929	2,044	52
1903.....	4,263	2,461	56	953	475	50	5,216	2,936	56
Nine months ended June 30—									
1904.....	4,161	1,847	44	1,293	637	49	5,454	2,484	46
Year ended June 30—									
1905.....	6,541	2,438	37	1,199	442	37	7,740	2,880	37
1906.....	4,210	1,367	33	806	248	31	5,016	1,615	32
1907.....	4,881	1,403	28	702	225	32	5,583	1,628	29
1908.....	5,543	1,970	36	655	205	31	6,198	2,175	35
1909.....	5,175	1,243	24	523	88	17	5,702	1,331	23
1910.....	5,872	1,734	30	547	113	21	6,419	1,847	29
1911.....	6,165	1,552	25	671	115	17	6,836	1,667	24
1912.....	6,400	1,897	30	847	169	20	7,247	2,066	29
1913.....	8,038	2,009	25	1,071	158	15	9,109	2,167	24
Half year ended December 31—									
1913.....	4,361	777	18	704	155	22	5,065	932	18
Year ended December 31—									
1914.....	5,737	1,508	26	951	213	22	6,688	1,721	26
1915.....	8,464	2,309	27	1,133	219	19	9,597	2,528	26
1916.....	9,737	2,771	28	1,572	286	18	11,309	3,057	27
1917.....	8,677	2,091	24	2,160	445	21	10,837	2,536	23
1918.....	9,521	2,406	25	2,718	603	22	12,239	3,009	25
1919.....	9,136	1,865	20	2,854	464	16	11,990	2,329	19
1920.....	10,893	2,236	20	4,096	700	17	14,989	2,936	20
1921.....	7,822	1,640	21	2,536	496	20	10,358	2,136	21
1922.....	6,631	1,770	27	2,468	578	23	9,099	2,348	26

TABLE E.—Results of non-educational examinations held during the year 1922

Kind of examination	For original appointment			For promotion or transfer			Total		
	Ex a m- ined	Passed	Per cent passed	Ex a m- ined	Passed	Per cent passed	Ex a m- ined	Passed	Per cent passed
1. Assistant chief photo-engraver	1	1	100	.....	.....	.....	1	1	100
2. Assistant chief printer	1	1	100	.....	.....	.....	1	1	100
3. Assistant sugar technologist	1	1	100	.....	.....	.....	1	1	100
4. Carpenter	1	1	100	.....	.....	.....	1	1	100
5. Chauffeur	2	2	100	.....	.....	.....	2	2	100
6. Chief legislative researcher	.....	.....	.....	1	1	100	1	1	100
7. Chief telephone lineman	1	1	100	.....	.....	.....	1	1	100
8. Deputy provincial governor	4	4	100	.....	.....	.....	4	4	100
9. Engineman	1	1	100	.....	.....	.....	1	1	100
10. Foreman, building	1	1	100	.....	.....	.....	1	1	100
11. Foreman, general	3	3	100	.....	.....	.....	3	3	100
12. Foreman, launch	1	1	100	.....	.....	.....	1	1	100
13. Foreman, maintenance	4	3	75	.....	.....	.....	4	3	75
14. Foreman, road	1	1	100	.....	.....	.....	1	1	100
15. Lightkeeper	2	2	100	.....	.....	.....	2	2	100
16. Machinist	2	2	100	.....	.....	.....	2	2	100
17. Mate, second	1	1	100	.....	.....	.....	1	1	100
18. Mechanic	2	2	100	.....	.....	.....	2	2	100
19. Officer, first	1	1	100	.....	.....	.....	1	1	100
20. Overseer	3	3	100	.....	.....	.....	3	3	100
21. Patron, launch	1	1	100	.....	.....	.....	1	1	100
22. Patron, minor	1	1	100	.....	.....	.....	1	1	100
23. Radio operator	1	1	100	.....	.....	.....	1	1	100
24. Supervising well driller	1	1	100	.....	.....	.....	1	1	100
25. Superintendent, lumber yard and sawmill	1	1	100	.....	.....	.....	1	1	100
Total.....	38	37	97	1	1	100	39	38	97

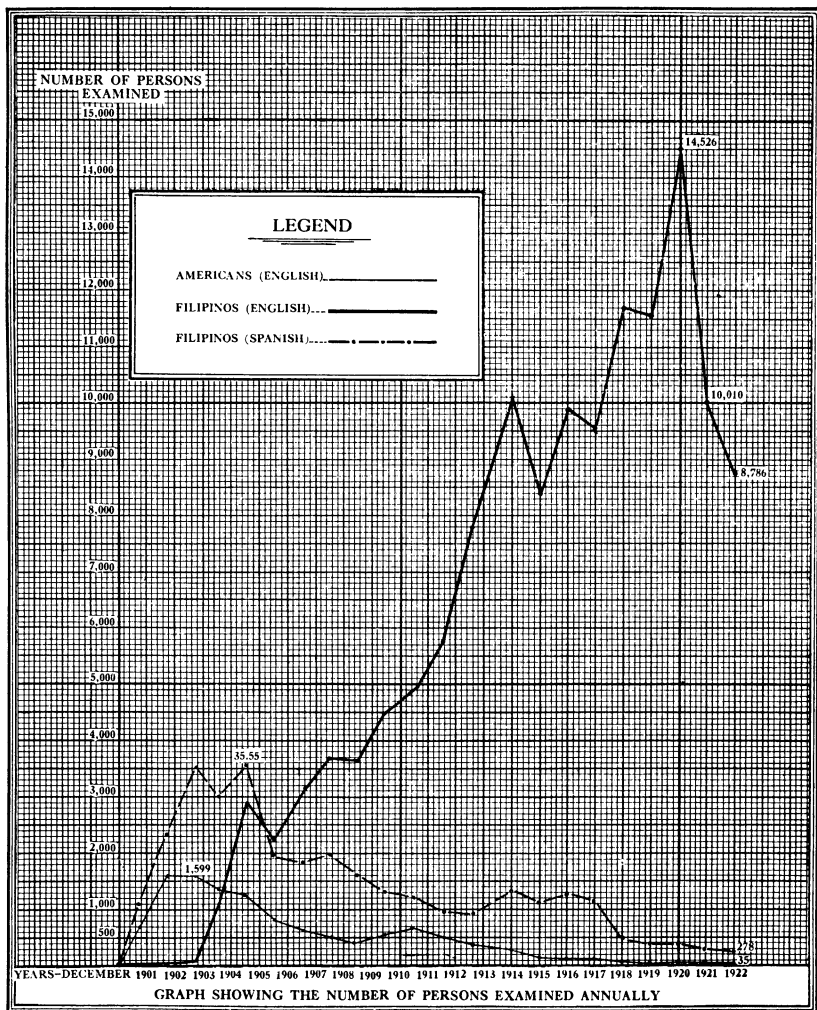


TABLE 1.—*Appointments in the Philippine civil service from January 1 to December 31, 1922*

	In the United States			Original, in the Philippine Islands		Total
	Original	Transfer	Rein-statement	Amer-icans	Filipinos English reg- isters Spanish reg- isters	
Agent:						
Commercial					2	2
Commercial, junior					2	2
Agricultural assistant, junior					1	1
Assistant lithographer					1	1
Assistant lithographic pressman					1	1
Assistant superintendent, Penal Colony					1	1
Bacteriologist, junior					2	2
Bookkeeper, junior					12	12
Carpenter					2	2
Chief legal reference					1	1
Chinese interpreter					1	1
Clerk		a 1			1	1
Clerk:						
First grade					22	22
Second grade					193	198
Third grade					117	118
Clerk-carrier					18	18
Computer, junior					38	39
Department assistant					1	1
Deputy governor					3	3
Draftsman:						
Architectural, junior					4	4
Junior topographical					9	9
Engineer:						
Assistant civil					5	5
Launch					1	1
Sanitary					2	2
Fireman:						
Second class					11	11
Foreman				1	3	5
Foreman, launch				1		1
Forester				1	2	3
Guard:						
Customs (third grade)					1	1
Fourth class prison					11	11
Treasury (third class patrolman)					1	1
Inspector:						
Assistant building					1	1
Assistant sanitary					126	132
Factory					2	3
Livestock					1	1
Plumbing, assistant				1		1
Post-Office					7	7
Public lands						1
Law clerk					1	2
Letter carrier					1	1
Lightkeeper					10	34
Lineman					2	2
Lithographic pressman					1	1
Machinist						1
Maintenance capataz					10	15
Mechanics					1	1
Messenger					53	53
Minor patron					1	1
Nurse		a 1				1
Nurse:						
Social service					3	3
Trained					9	9
Training school graduate					77	77
Officer:						
First (navigating)					1	1
Medical					1	1
Operator, radio					1	1
Operator, telephone					5	5
Overseer					13	13
Patrolman:						
First class				9	1	10
Third class					97	101
Pharmachist					7	7
Photographer					1	1

a Filipino.

TABLE 1.—*Appointments in the Philippine civil service from January 1 to December 31, 1922—Continued*

	In the United States			Original, in the Philippine Islands		Total	
	Original	Transfer	Rein-state-ment	Amer-icans	Filipinos		
					English reg-isters		Spanish reg-isters
Plant pathologist, assistant					1	1	
Postal clerk					2	2	
Process transferer					1	1	
Ranger (forest-school graduates)					23	23	
Second mate					1	1	
Social worker					1	1	
Stenographer					1	1	
Stenographer, junior					30	3	33
Superintendent of lumber yard					1	1	1
Supervising well driller					1	1	1
Surveyor:							
Assistant					1	1	1
Junior					35		35
Teacher	b 64		1	1	6		72
Teacher:							
Agriculture, junior					14		14
Domestic science, junior					13		13
High school (U. S.)					2		2
Junior					48		48
Junior (school of education graduates)					28		28
Junior (normal-school graduates)					109		109
Junior (trade-school graduates)					5		5
Woodworking, junior					5		5
Translator					1	1	1
Treasurer, municipal:							
First grade					1		1
Second grade					19	5	24
Third grade					40		40
Treasurer, municipal					4		4
Typist, junior					12		12
Veterinarian					1		1
Total	65	1	1	14	1,307	60	1,448

^b Three of these teachers are Filipinos.TABLE 2.—*Appointments made in the Federal civil service in the Philippine Islands during the year ended December 31, 1922, upon certification of the Bureau of Civil Service*

Position.	Number of—	
	Americans	Filipinos
Original:		
Clerk—		
Second grade		1
Electrical assistant	1	
Junior stenographer		4
Junior typist		1
Messenger	1	
Total original	2	6
By reinstatement and transfer	2	2
Grand total	4	8

TABLE 3.—Americans and Filipinos in the Philippine civil service on July 1, 1922, and the salaries paid ^a

Bureau or Office	Number of—		Salaries of—	
	Amer- icans	Fili- pinos	Amer- icans	Filipinos
Legislative:				
Philippine Senate		121		P263, 430
House of Representatives		208		437, 876
Executive:				
Office of the Governor-General	11	38	P103, 800	50, 388
Bureau of Audits	1	185	12, 000	294, 700
Bureau of Civil Service	1	65	6, 000	73, 080
Philippine Educational Agency	1		12, 000	
Office of the Secretary of the Interior		9		35, 680
Bureau of Non-Christian Tribes		28		60, 080
Philippine General Hospital		171		147, 440
Board of Pharmaceutical Examiners and Inspectors		6		8, 100
Board of Medical Examiners		3		1, 540
Board of Dental Examiners		1		300
Board of Optical Examiners		1		300
Board of Examiners for Nurses		1		300
Executive Bureau	1	105	8, 000	144, 752
Philippine Constabulary	22	442	110, 261	1, 030, 904
Office of the Public Welfare Commissioner		73		97, 375
Metropolitan Water District	3	44	22, 000	78, 360
Office of the Secretary of Public Instruction		6		19, 420
Bureau of Education	366	1, 454	1, 325, 500	1, 705, 148
Philippine Health Service	12	379	48, 240	486, 068
Office of the Secretary of Finance		6		31, 000
Bureau of Customs	3	463	13, 200	515, 008
Bureau of Internal Revenue	4	239	17, 500	308, 068
Bureau of the Treasury	3	47	44, 000	92, 400
Bureau of Printing	1	321	2, 600	327, 924
Office of the Secretary of Justice		5		28, 900
Bureau of Justice		43		102, 040
Public Utility Commission		9		22, 160
Philippine Library and Museum	2	86	4, 200	100, 000
Bureau of Prisons	9	104	24, 130	113, 880
Office of the Secretary of Agriculture and Natural Resources		10		37, 500
Bureau of Agriculture	10	281	53, 400	379, 528
Agricultural Colonies		3		3, 240
Bureau of Forestry	5	217	33, 500	237, 800
Bureau of Lands	7	530	27, 600	547, 440
Bureau of Science	14	77	98, 200	149, 380
Weather Bureau	2	205	660	126, 260
Office of the Secretary of Commerce and Communications		4		27, 100
Bureau of Public Works	33	535	226, 520	757, 177
Bureau of Posts	5	1, 869	17, 200	1, 234, 944
Bureau of Supply		118		162, 027
Bureau of Commerce and Industry		251		330, 524
Bureau of Labor		60		70, 812
Bureau of Coast and Geodetic Survey	3	30	7, 250	37, 640
Judicial:				
Supreme Court	6	52	78, 200	145, 020
Courts of First Instance	4	259	29, 200	530, 564
General Land Registration Office		122		111, 288
Justices of the peace	2	736	1, 200	535, 150
Provincial service	7	2, 674	36, 700	2, 595, 829
Municipal service of Manila:				
Municipal Board		21		49, 790
Office of the Mayor		21		42, 460
Department of Finance		90		90, 896
Department of Assessment		26		36, 020
Law department and courts		66		118, 888
Fire department	12	137	37, 660	146, 500
Police department	48	596	125, 920	694, 140
Department of city schools		425		451, 732
Department of engineering and public works	7	84	25, 392	123, 800
Municipal service of Baguio	3	47	4, 900	36, 280
Total^b	608	14, 209	2, 556, 933	16, 386, 350

^a The following employees are not included: Temporary and emergency employees; enlisted men of the Philippine Constabulary; and persons compensated by fees only.

^b Deduct 4 Americans and 483 Filipinos for persons counted more than once by reason of holding more than one position.

TABLE 4.—Comparison of number of employees and salaries in different branches of Philippine civil service on January 1, 1913, January 1, 1914, July 1, 1914, July 1, 1915, July 1, 1916, July 1, 1917, July 1, 1918, July 1, 1919, July 1, 1920, July 1, 1921, and July 1, 1922

LEGISLATIVE

	Number of—			Salaries paid a—			Average salaries a—		
	Amer- icans.	Filipi- nos.	Total.	Amer- icans.	Filipi- nos.	Total.	Amer- icans.	Filipi- nos.	Total.
				<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>
January 1, 1913	4	86	90	41,000	163,816	204,816	10,250.00	1,904.84	2,275.73
January 1, 1914	5	92	97	46,000	186,524	232,524	9,200.00	2,027.43	2,397.15
July 1, 1914	5	96	101	42,000	185,828	227,828	8,400.00	1,935.71	2,255.72
July 1, 1915	6	99	105	46,000	203,684	249,684	7,666.67	2,057.41	2,377.94
July 1, 1916	6	88	94	41,500	163,584	205,084	6,916.67	1,858.91	2,181.72
July 1, 1917		129	129		179,444	179,444		1,391.04	1,391.04
July 1, 1918		254	254		572,228	572,228		2,252.87	2,252.87
July 1, 1919		271	271		598,900	598,900		2,209.96	2,209.96
July 1, 1920		295	295		639,748	639,748		2,168.63	2,168.63
July 1, 1921		302	302		667,180	667,180		2,209.20	2,209.20
July 1, 1922		329	329		701,306	701,306		2,131.63	2,131.63

EXECUTIVE

January 1, 1913	2,229	3,478	5,707	7,801,602	3,015,294	10,816,896	3,500.05	866.96	1,895.37
January 1, 1914	2,024	3,789	5,813	7,253,622	3,578,541	10,832,163	3,585.81	944.46	1,863.44
July 1, 1914	1,767	4,004	5,771	6,362,819	3,701,005	10,063,824	3,600.92	924.33	1,743.86
July 1, 1915	1,686	4,308	5,894	5,875,964	4,217,635	10,093,599	3,704.90	979.02	1,712.52
July 1, 1916	1,417	4,789	6,206	5,232,230	4,681,473	9,913,703	3,699.53	977.55	1,597.44
July 1, 1917	1,073	5,399	6,472	3,977,767	5,462,814	9,440,581	3,707.15	1,011.82	1,458.68
July 1, 1918	765	6,080	6,845	2,997,247	6,568,594	9,565,841	3,897.59	1,080.36	1,397.49
July 1, 1919	627	7,005	7,632	2,475,104	7,861,214	10,336,318	3,947.53	1,122.23	1,354.34
July 1, 1920	494	7,397	7,891	2,028,344	8,748,545	10,776,889	4,105.95	1,113.89	1,290.95
July 1, 1921	534	7,736	8,270	2,245,879	9,561,177	11,807,056	4,205.76	1,235.93	1,427.69
July 1, 1922	518	8,056	8,574	2,217,761	9,976,687	12,194,448	4,281.39	1,238.42	1,422.26

JUDICIAL

January 1, 1913	48	944	992	341,100	963,683	1,304,783	7,106.25	1,020.85	1,315.30
January 1, 1914	43	950	993	313,400	956,223	1,269,623	7,288.37	1,006.55	1,278.57
July 1, 1914	50	977	1,027	326,700	1,036,530	1,363,230	6,534.00	1,060.93	1,327.39
July 1, 1915	49	1,033	1,082	321,300	1,058,982	1,380,282	6,557.14	1,025.15	1,275.68
July 1, 1916	45	1,044	1,089	288,900	1,092,426	1,381,326	6,420.00	1,046.39	1,268.44
July 1, 1917	26	1,118	1,144	164,700	1,122,014	1,286,714	6,334.62	1,008.59	1,124.75
July 1, 1918	19	1,140	1,159	162,600	1,190,490	1,353,090	8,567.89	1,044.29	1,167.46
July 1, 1919	17	1,136	1,153	144,400	1,204,022	1,348,422	8,494.12	1,059.88	1,160.82
July 1, 1920	13	1,158	1,171	114,600	1,262,754	1,377,354	8,815.38	1,090.37	1,176.22
July 1, 1921	9	1,158	1,167	75,400	1,249,722	1,325,122	8,377.77	1,079.20	1,135.49
July 1, 1922	12	1,169	1,181	108,600	1,322,022	1,430,622	9,050.00	1,130.90	1,211.36

PROVINCIAL

January 1, 1913	74	1,222	1,296	320,288	1,097,123	1,417,411	4,328.22	897.81	1,093.68
January 1, 1914	81	1,301	1,382	355,588	1,160,954	1,516,542	4,389.98	892.36	1,097.35
July 1, 1914	75	1,488	1,563	340,100	1,350,180	1,590,280	4,534.67	907.38	1,081.43
July 1, 1915	66	1,667	1,733	293,736	1,553,577	1,847,313	4,450.55	931.96	1,065.96
July 1, 1916	57	2,000	2,057	259,036	1,722,005	1,981,041	4,544.49	861.00	963.07
July 1, 1917	47	2,274	2,321	212,480	1,951,461	2,163,941	4,520.85	858.16	932.33
July 1, 1918	45	2,309	2,354	199,200	2,027,277	2,226,477	4,426.67	877.99	945.83
July 1, 1919	13	2,366	2,379	80,000	2,080,872	2,160,872	6,153.85	879.49	908.31
July 1, 1920	5	2,473	2,478	36,600	2,304,937	2,341,537	7,320.00	1,143.34	1,158.60
July 1, 1921	8	2,634	2,642	39,500	2,587,201	2,626,701	4,937.50	982.23	994.20
July 1, 1922	6	2,663	2,669	36,700	2,595,829	2,632,529	6,116.67	974.78	986.34

^a In pesos, Philippine currency.

MUNICIPAL (MANILA AND BAGUIO)

	Number of—			Salaries paid a—			Average salaries a—		
	Americans	Filipinos	Total	Americans	Filipinos	Total	Americans	Filipinos	Total
January 1, 1913	268	633	901	740,652	591,456	1,332,108	2,763.63	934.37	1,478.48
January 1, 1914	277	659	936	754,792	633,098	1,387,890	2,724.88	960.69	1,482.79
July 1, 1914	251	718	969	686,422	683,736	1,370,158	2,734.75	952.28	1,413.99
July 1, 1915	228	774	1,002	619,580	753,862	1,373,442	2,717.46	973.98	1,370.70
July 1, 1916	205	804	1,009	555,162	768,996	1,324,158	2,708.11	956.46	1,312.35
July 1, 1917	164	939	1,103	448,669	845,722	1,294,391	2,735.79	900.66	1,173.52
July 1, 1918	119	1,083	1,202	350,915	1,015,782	1,366,697	2,948.87	937.93	1,137.02
July 1, 1919	103	1,269	1,372	305,859	1,292,096	1,597,955	2,969.50	1,018.13	1,267.10
July 1, 1920	70	1,238	1,308	192,772	1,341,018	1,533,790	2,763.88	1,083.21	1,172.61
July 1, 1921	63	1,410	1,473	184,772	1,684,666	1,869,438	2,932.88	1,194.79	1,269.13
July 1, 1922	68	1,509	1,577	193,872	1,790,506	1,984,378	2,851.06	1,186.55	1,258.32

TOTALS

January 1, 1913	2,623	6,363	8,986	9,244,642	5,831,372	15,076,014	3,524.45	916.45	1,677.72
January 1, 1914	2,430	6,791	9,221	8,677,402	6,328,816	15,006,217	3,570.95	931.94	1,627.40
July 1, 1914	2,148	7,283	9,431	7,758,041	6,957,279	14,715,320	3,611.75	955.28	1,560.31
July 1, 1915	1,935	7,881	9,816	7,156,580	7,787,740	14,944,320	3,698.49	988.17	1,522.44
July 1, 1916	1,730	8,725	10,455	6,376,828	8,428,484	14,805,312	3,686.03	966.02	1,416.10
July 1, 1917	1,310	9,859	11,169	4,803,616	9,561,455	14,365,071	3,666.88	969.82	1,126.16
July 1, 1918	948	10,866	11,814	3,709,962	11,374,371	15,084,333	3,913.46	1,046.79	1,276.82
July 1, 1919	760	12,047	12,807	3,005,363	13,037,104	16,042,467	3,954.43	1,082.19	1,252.63
July 1, 1920	582	12,561	13,143	2,372,316	14,297,002	16,669,318	4,076.48	1,138.20	1,268.30
July 1, 1921	614	13,240	13,854	2,545,551	15,749,946	18,295,497	4,145.84	1,189.57	1,320.59
July 1, 1922	604	13,726	14,330	2,556,933	16,386,350	18,943,283	4,233.33	1,193.82	1,321.93

^a In pesos, Philippine currency.

Proper deductions have been made in these figures for persons counted more than once by reason of holding more than one position.

TABLE 5.—Table showing the number and salaries of regularly and permanently appointed Americans and Filipinos in the service at the middle of the fiscal years indicated

Year	Officers and employees			Salaries paid			Average salaries		
	Americans	Filipinos	Total	Americans	Filipinos	Total	Americans	Filipinos	Total
1903	2,777	2,697	5,474	P7,236,700	P2,189,376	P9,426,076	P2,605.94	P812.76	P1,721.97
1904	3,228	3,377	6,605	8,663,720	2,932,834	11,596,554	2,693.92	868.48	1,755.72
1905	3,307	4,023	7,330	8,942,424	3,309,738	12,252,162	2,704.08	822.70	1,671.51
1907 ^a	2,616	3,902	6,518	7,869,242	3,234,494	11,103,736	3,008.12	828.93	1,703.55
1908	2,479	4,080	7,559	7,749,236	3,686,855	11,436,091	3,125.95	903.64	1,743.57
1909	2,659	4,397	7,056	8,576,962	4,018,988	12,595,950	3,225.63	914.08	1,785.14
1910	2,633	4,639	7,272	8,755,486	4,296,896	13,052,382	3,325.29	926.25	1,794.88
1911	2,633	4,981	7,614	8,954,834	4,668,825	13,623,659	3,401.00	937.33	1,789.29
1912	2,680	6,033	8,713	9,247,124	5,468,175	14,715,299	3,450.42	906.37	1,688.89
1913	2,623	6,363	8,986	9,244,642	5,831,372	15,076,014	3,524.45	916.45	1,677.72
1914 (January)	2,430	6,791	9,221	8,677,402	6,328,815	15,006,217	3,570.95	931.94	1,627.40
1914 (July)	2,148	7,283	9,431	7,758,041	6,957,279	14,715,320	3,611.75	955.28	1,560.31
1915	1,935	7,881	9,816	7,156,580	7,787,740	14,944,320	3,698.49	988.17	1,522.44
1916	1,730	8,725	10,455	6,376,828	8,428,484	14,805,312	3,686.03	966.03	1,416.10
1917	1,310	9,859	11,169	4,803,616	9,561,455	14,365,071	3,666.88	969.82	1,286.16
1918	948	10,866	11,814	3,709,962	11,374,371	15,084,333	3,913.46	1,046.79	1,276.82
1919	760	12,047	12,807	3,005,363	13,037,104	16,042,467	3,954.43	1,082.19	1,252.63
1920	582	12,561	13,143	2,372,316	14,297,002	16,669,318	4,076.48	1,138.20	1,268.30
1921	614	13,240	13,854	2,545,551	15,749,946	18,295,497	4,145.84	1,189.57	1,320.59
1922	604	13,726	14,330	2,556,933	16,386,350	18,943,283	4,233.33	1,193.82	1,321.93

^a No data for 1906 are available.

Proper deductions have been made in these figures for persons counted more than once by reason of holding more than one position.

TABLE 6.—Comparison of number and salaries of Americans and Filipinos temporarily employed on July 1 of the years given in the clerical and unclassified and non-clerical positions in the Philippine civil service

INSULAR SERVICE AND JUDICIARY

Year	Clerical positions				Unclassified and non-clerical				Totals	
	Americans		Filipinos		Americans		Filipinos		Number	Salaries
	Number	Salaries	Number	Salaries	Number	Salaries	Number	Salaries		
1914	28	P73,000	277	P202,977.25	291	P701,230	2,491	P1,594,866.40	3,087	P2,572,073.65
1915	17	45,880	217	177,548.00	236	584,600	2,294	1,521,428.00	2,764	2,329,456.00
1916	8	21,480	101	96,395.00	220	467,185	2,280	1,455,619.00	2,609	2,040,679.00
1917	9	24,000	122	90,940.00	176	436,230	2,274	1,533,136.00	2,581	2,084,366.00
1918	10	25,860	141	94,311.00	169	405,510	2,550	1,882,013.00	2,870	2,407,694.00
1919	4	10,960	154	121,833.00	149	359,500	3,200	2,587,103.00	3,507	3,079,396.00
1920	3	7,400	245	154,180.00	132	364,890	3,891	3,524,215.00	4,271	4,050,685.00
1921	2	5,600	256	171,138.00	107	313,980	5,085	4,651,512.00	5,450	5,142,230.00
1922	1	2,400	162	146,888.00	124	375,950	4,881	4,422,316.00	5,168	4,947,554.00

PROVINCIAL SERVICE

1914	4	P11,680	320	P174,644.00	43	P95,757	638	P263,606.00	1,005	P545,687.00
1915	1	2,490	333	182,032.00	32	66,060	992	417,286.00	1,358	667,868.00
1916	2	1,320	239	128,602.00	15	34,300	1,023	468,322.00	1,279	632,544.00
1917			217	114,962.00	15	28,380	1,073	479,221.00	1,305	622,563.00
1918			185	87,248.00	10	23,950	678	363,434.00	873	474,632.00
1919			240	115,815.00			775	429,749.96	1,015	545,564.96
1920			180	95,401.00	3	8,820	864	441,420.00	1,047	545,649.00
1921			263	144,293.00	5	13,500	1,299	707,238.00	1,567	865,031.00
1922			235	126,990.00	5	9,900	1,324	687,229.00	1,564	824,119.00

MUNICIPAL SERVICE, MANILA

1914	1	P1,200	14	P14,257.00	25	P52,460	326	P193,972.00	366	P261,889.00
1915			9	9,240.00	27	62,830	320	191,871.00	356	263,941.00
1916			5	3,960.00	24	55,930	451	274,146.00	480	334,056.00
1917			16	7,779.00	22	56,510	495	297,252.00	533	361,541.00
1918			20	12,030.00	26	60,390	558	362,164.00	604	434,584.00
1919	1	3,200	15	10,260.00	20	43,340	744	564,647.00	780	626,447.00
1920			9	8,040.00	16	32,200	751	570,892.00	776	611,132.00
1921			10	8,321.00	24	57,600	982	812,111.00	1,016	878,032.00
1922			6	6,000.00	16	31,710	892	741,330.00	914	779,040.00

MUNICIPAL SERVICE, BAGUIO

1914			1	P900.00	5	P15,600	8	P6,840.00	14	P23,340.00
1915			1	900.00	4	12,560	11	7,620.00	16	21,080.00
1916					3	8,900	7	3,600.00	10	12,500.00
1917			1	480.00	3	8,960	7	4,860.00	11	14,300.00
1918			1	480.00			22	12,780.00	23	13,260.00
1919			1	360.00			24	15,300.00	25	15,660.00
1920			1	480.00			12	10,680.00	13	11,160.00
1921			1	480.00			15	13,610.00	16	14,090.00
1922			2	960.00			17	15,230.00	19	16,190.00

TOTALS

1914	33	P85,880	612	P392,778.25	364	P865,047	3,463	P2,059,284.40	4,472	P3,402,989.65
1915	18	48,370	560	369,720.00	299	726,050	3,617	2,138,205.00	4,494	3,282,345.00
1916	10	22,800	345	228,957.00	262	566,315	3,761	2,201,687.00	4,378	3,019,759.00
1917	9	24,000	356	214,161.00	216	530,080	3,849	2,314,469.00	4,450	3,082,710.00
1918	10	25,860	347	194,069.00	205	489,850	3,808	2,620,391.00	4,370	3,330,170.00
1919	5	14,160	410	248,268.00	169	407,840	4,743	3,596,799.96	5,327	4,267,667.96
1920	3	7,400	435	258,101.00	151	405,910	5,518	4,547,215.00	6,107	5,218,626.00
1921	2	5,600	530	324,232.00	136	385,080	7,381	6,184,471.00	8,049	6,899,383.00
1922	1	2,400	405	280,838.00	145	417,560	7,114	5,866,105.00	7,665	6,566,903.00

EXTRACTS FROM THE ADMINISTRATIVE CODE (ACT
No. 2711) RELATING TO THE CIVIL SERVICE

SEC. 23. *Oath of office for Insular and provincial employees.*—Save in the case of a laborer or emergency employee, every person elected or appointed to an office or position of trust or profit in the Insular or provincial service, or service of a chartered city, shall, before entering upon the discharge of his duties, take and subscribe an oath of office, in such form as shall be prescribed by the Director of Civil Service, wherein the affiant shall declare that he recognizes and accepts the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that he will well and faithfully discharge to the best of his ability the duties of the office or position upon which he is about to enter or of any position to which he may thereafter be appointed; and that the obligation imposed by such oath of office is assumed by him voluntarily, without mental reservation or purpose of evasion.

SEC. 24. *Oath of office of municipal officials.*—Every person elected or appointed to a municipal or township office shall, before entering upon the discharge of his duties, take and subscribe an oath of office, in such form as shall be prescribed by the Director of Civil Service, wherein the affiant shall declare that he has the requisite qualifications to hold office in the municipality; that he recognizes and accepts the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that he will well and faithfully discharge to the best of his ability the duties of the office upon which he is about to enter or of any position to which he may thereafter be appointed; and that the obligation imposed by such oath of office is assumed by him voluntarily, without mental reservation or purpose of evasion.

SEC. 25. *Occasions for administration of official oath.*—Notaries public and persons entering upon office by virtue of election shall take the oath upon the occasion of every appointment or induction into office; those entering the service by appointment, except notaries, shall be required to take the oath only upon the occasion of first entering upon the discharge of their duties in the particular branch of the service to which they respectively pertain; but if any such appointee should at any time be entirely separated from

the service, he shall be required to take the oath upon entering the service again.

SEC. 26. *By whom oath of office may be administered.*—The oath of office may be administered by any officer generally qualified to administer oaths; but the oath of office of the members and officers of either House of the Legislature may also be administered by persons designated for such purpose by the respective Houses.

SEC. 27. *Preservation of oaths.*—Oaths administered to officers and employees as aforesaid shall, in the absence of special provision, be filed in the Bureau, Office, or branch of the service to which they respectively pertain and shall be there preserved.

SEC. 64. *Particular powers and duties of Governor-General.*—In addition to his general supervisory authority, the Governor-General shall have such specific powers and duties as are expressly conferred or imposed on him by law and also, in particular, the powers and duties set forth in this chapter.

Among such special powers and duties shall be:

* * * * *

(b) To remove officials from office conformably to law and to declare vacant the offices held by such removed officials. For disloyalty to the United States, the Governor-General may at any time remove a person from any position of trust or authority under the Government of the Philippine Islands.

SEC. 79.¹ *Under Secretaries.*—There shall be in each Department one or more Under Secretaries, as the appropriation acts may provide, who shall perform such duties as may be assigned to them by the Secretary of the Department and such as may be imposed upon them by law.

When a Department Secretary is unable to perform his duties owing to illness, absence, or other cause, or in case of a vacancy in the office, the respective Under Secretary, or the Under Secretary designated, as the case may be, shall temporarily perform the functions of said office.

In case neither the Secretary nor the Under Secretaries of a Department are able to perform their duties, owing to illness, absence, or any other cause, the Governor-General may temporarily designate a Secretary or Under Secretary of another Department to perform such duties temporarily during the absence of the former.

(a) *Initiative of the Department Head.*—Executive orders, regulations, decrees, and proclamations relative to matters under the supervision or jurisdiction of a Department, the promulgation whereof is expressly assigned by law to the Governor-General, shall, as a general rule, be issued upon proposition and recommendation by the respective Department.

(b) *Power to regulate.*—The Department Head shall have power to promulgate, whenever he may see fit to do

¹ As amended by Act No. 2803 approved on February 28, 1919.

so, all rules, regulations, orders, circulars, memorandums, and other instructions, not contrary to law, necessary to regulate the proper working and harmonious and efficient administration of each and all of the offices and dependencies of his Department, and for the strict enforcement and proper execution of the laws relative to matter under the jurisdiction of said Department; but none of said rules or orders shall prescribe penalties for the violation thereof, except as expressly authorized by law. All rules, regulations, orders, or instructions of a general and permanent character promulgated in conformity with this section shall be numbered by each Department consecutively each year, and shall be duly published.

Chiefs of Bureaus or offices may, however, be authorized to promulgate circulars of information or instructions for the government of the officers and employees in the interior administration of the business of each Bureau or office, and in such case said circulars shall not be required to be published.

(c) *Power of direction and supervision.*—The Department Head shall have direct control, direction, and supervision over all Bureaus and offices under his jurisdiction and may, any provision of existing law to the contrary notwithstanding, repeal or modify the decisions of the chiefs of said Bureaus or offices when advisable in the public interest.

(d) *Power to appoint and remove.*—The Department Head, upon the recommendation of the chief of the Bureau or office concerned, shall appoint all subordinate officers and employees whose appointment is not expressly vested by law in the Governor-General, and may remove or punish them except as especially provided otherwise, in accordance with the Civil Service Law. Laborers receiving compensation at the rate of seven hundred twenty pesos or less per annum, and other employees receiving compensation at the rate of two hundred and forty pesos or less per annum, shall be appointed and removed by the chief of the Bureau or office, subject only to the general control of the Department Head.

The Department Head also may, from time to time, in the interest of the service, change the distribution among the several Bureaus and offices of his Department of the employees or subordinates authorized by law.

(e) *Leave of Secretaries and Under Secretaries.*—The right of a Department Head to leave on account of illness or for any other cause shall not be restricted, provided his absence is not incompatible with the interests of the service, and the vacation and other leave of the Under Secretaries shall be regulated, in the discretion of the Department Head, either by the existing provisions governing the leaves of judges of Courts of First Instance, or otherwise.

SEC. 178.¹ *Subordinate employees of General Land Registration Office.*—The chief surveyor and other subordinates

¹ As amended by Act No. 2834 approved on March 8, 1919.

of the General Land Registration Office shall be appointed by the Secretary of Justice, upon recommendation of the chief of said office. For administrative purposes, the General Land Registration Office shall be under the direct control of the Secretary of Justice.

SEC. 253. *Pay of United States officer detailed for duty in Philippine service.*—An officer of the United States Army or Navy, when detailed to perform the duties of an office under the Insular Government, shall receive in lieu of the salary authorized for said office the difference between the pay actually received by him from the Army or Navy during said detail and the amount of said salary.

SEC. 254. *Division of annual salary into fractional parts.*—All annual salaries shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payment for part of a month the amount to be paid for each day shall be determined by dividing the monthly pay into as many parts as there are days in the particular month.

SEC. 255. *When salary begins to accrue.*—Unless otherwise specially provided by law, the salary of any person appointed to a position in the Philippine service shall begin on the day he enters upon the discharge of the duties of his position.

SEC. 256. *Date of taking effect of appointments and promotions.*—Where a new position is created or the salary of an existing position is increased, appointment to such new position or promotion to the increased salary shall not be effective, unless expressly so provided, prior to the enactment of the law creating the new position or authorizing the higher salary; and aside from exceptional cases, approved as such by the proper Head of Department, an appointment or promotion shall not be effected as of a date prior to that upon which the appointment or promotion is actually made.

SEC. 257. *Salary of employee transferred to other branch of service.*—When an employee stationed in the Philippine Islands is transferred from one branch of the Government service to another, and a change of station is thereby rendered necessary, the salary incident to his new position shall begin when he leaves his former station, provided he travels to his new destination in ordinary course; otherwise he shall be allowed such salary prior to arrival at his new destination for such time only as is ordinarily consumed in travel between the places in question.

SEC. 258. *Attendance of Government employee in certain proceedings.*—When a Government employee is required to attend court as a witness or is required by lawful authority to render service as a witness or otherwise before a court-martial or in any extradition case or administrative proceeding of any sort, such service shall be deemed to be service in regular course of employment, and the salary accruing during the period thereof shall not be withheld.

SEC. 259. *Inhibition against payment of extra compensation.*—In the absence of special provision, persons regularly and permanently appointed under the Civil Service Law or whose salary, wages, or emoluments are fixed by law or regulation shall not, for any service rendered or labor done by them on holidays or for other overtime work, receive or be paid any additional compensation; nor, in the absence of special provision, shall any officer or employee in any branch of the Government service receive additional compensation on account of the discharge of duties pertaining to the position of another or for the performance of any public service whatever, whether such service is rendered voluntarily or is exacted of him under authority of law.

SEC. 260. *Payment of salary accruing pending suspension.*—When the chief of a Bureau or Office suspends a subordinate officer or employee from duty, the person suspended shall not receive pay during suspension unless the Department Head shall so order; but upon subsequent reinstatement of the suspended person or upon his exoneration, if death should render reinstatement impossible, any salary so withheld shall be paid, but without prejudice to the application of the disciplinary provisions of section six hundred and ninety-five hereof.

In case of a person suspended by the Governor-General or by the President, no salary shall be paid during suspension unless so provided in the order of suspension; but upon subsequent reinstatement or exoneration of the suspended person, any salary so withheld may be paid in whole or in part, at the discretion of the officer by whom the suspension was effected.

SEC. 261. *Extra compensation for substitutionary service.*—In case of the temporary absence or disability of the chief of any Bureau or Office, without pay, or in cases of a vacancy in such position, the Department head or person making temporary appointment may, in his discretion, order the payment of additional compensation to the substitute who acts or is designated temporarily to supply the place, which compensation with his existing salary shall not exceed the salary authorized by law for the position filled.

A person who serves as acting chief of a Bureau or Office during the suspension of the chief may also be paid additional compensation in the same manner, if upon the final disposition of the matter of such suspension, the full salary is not paid to the officer who was suspended.

SEC. 262. *Payment of money due to deceased employee.*—Where money is due to the estate of a deceased officer or employee for salary or compensation incident to leave, the same may be paid to the person or persons whom the Insular Auditor shall ascertain to be lawfully entitled thereto; but such payment shall be without prejudice to the right of any person claiming said sum, or a part thereof, subsequently to proceed by action in court against the person or persons who may have received the same.

SEC. 263. *Salaries of appointees from United States.*—A person residing in the United States who is appointed to a position in the Philippine civil service shall receive full salary from the date of his arrival in the Islands; and he shall receive half salary from the date of his embarkation (or in case of a judge of a court, from the date of his leaving home to come to Manila) until the date of his arrival, provided he proceeds directly to the Islands by the route indicated for him, otherwise for such time only as is ordinarily required to perform the journey by that route.

Except in the case of judges of courts, the half salary earned en route shall not be paid until after two years of satisfactory service in the Islands, unless prior thereto the appointee dies or is involuntarily separated from the service without fault.

SEC. 264. *Half salary upon retirement.*—A regularly appointed officer or employee, not being a judge of a court, who has come to the Islands upon appointment from the United States, and who has rendered continuous, faithful, and satisfactory service for three years or more after arrival in the Philippine Islands, shall, upon his retirement from the service, be allowed half salary for thirty days in addition to full salary for the period which may be granted him as leave of absence.

If appointed prior to January twelfth, nineteen hundred and four, such person shall also be furnished transportation from Manila to San Francisco or transportation of equal cost to the Government by any other route; but the transportation must be used within six months after retirement from the service.

SEC. 265. *Scale of salaries received by Government employees.*—As regards salaries, employees in the Philippine service shall be arranged in grades according to the following scale; and in this schedule compensation at a stated rate refers not only to compensation paid at such rate for the whole or any part of the year but also to a salary fixed at so much per annum:

Grade 1.—Persons receiving compensation at the rate of six thousand pesos or more per annum.

Grade 2.—Persons receiving compensation at the rate of five thousand five hundred pesos or more, but less than six thousand pesos per annum.

Grade 3.—Persons receiving compensation at the rate of five thousand pesos or more, but less than five thousand five hundred pesos per annum.

Grade 4.—Persons receiving compensation at the rate of four thousand five hundred pesos or more, but less than five thousand pesos per annum.

Grade 5.—Persons receiving compensation at the rate of four thousand pesos or more, but less than four thousand five hundred pesos per annum.

Grade 6.—Persons receiving compensation at the rate of three thousand six hundred pesos or more, but less than four thousand pesos per annum.

Grade 7.—Persons receiving compensation at the rate of three thousand two hundred pesos or more, but less than three thousand six hundred pesos per annum.

Grade 8.—Persons receiving compensation at the rate of two thousand eight hundred pesos or more, but less than three thousand two hundred pesos per annum.

Grade 9.—Persons receiving compensation at the rate of two thousand four hundred pesos or more, but less than two thousand eight hundred pesos per annum.

Grade 10.—Persons receiving compensation at the rate of two thousand pesos or more, but less than two thousand four hundred pesos per annum.

Grade A.—Persons receiving compensation at the rate of one thousand eight hundred pesos or more, but less than two thousand pesos per annum.

Grade B.—Persons receiving compensation at the rate of one thousand six hundred and eighty pesos or more, but less than one thousand eight hundred pesos per annum.

Grade C.—Persons receiving compensation at the rate of one thousand four hundred and forty pesos or more, but less than one thousand six hundred and eighty pesos per annum.

Grade D.—Persons receiving compensation at the rate of one thousand two hundred pesos or more, but less than one thousand four hundred and forty pesos per annum.

Grade E.—Persons receiving compensation at the rate of one thousand and eighty pesos or more, but less than one thousand two hundred pesos per annum.

Grade F.—Persons receiving compensation at the rate of nine hundred and sixty pesos or more, but less than one thousand and eighty pesos per annum.

Grade G.—Persons receiving compensation at the rate of eight hundred and forty pesos or more, but less than nine hundred and sixty pesos per annum.

Grade H.—Persons receiving compensation at the rate of seven hundred and twenty pesos or more, but less than eight hundred and forty pesos per annum.

Grade I.—Persons receiving compensation at the rate of six hundred pesos or more, but less than seven hundred and twenty pesos per annum.

Grade J.—Persons receiving compensation at the rate of four hundred and eighty pesos or more, but less than six hundred pesos per annum.

Grade K.—Persons receiving compensation at the rate of less than four hundred and eighty pesos per annum.

SEC. 266. *Minimum salary payable in absence of specific authority.*—A position designated in an Appropriation Act as belonging to a particular grade, without indication of any specific salary, shall carry the minimum salary prescribed for persons of that grade.

SEC. 267. *Title of chapter.*—This chapter shall be known as the Leave Law.

SEC. 268. *Leave of absence of judges of Supreme Court.*—During vacation of the Supreme Court, the judges not assigned to vacation duty shall be upon vacation leave; and if no court vacation is declared for any year each of the judges shall become entitled to three months' leave in lieu of court vacation.

Each judge of the Supreme Court shall also be entitled to additional leave for a period equivalent to one-twelfth of the time of his service on the court.

When a person is appointed to the Supreme Court from any branch of the Philippine service to which leave is incident, any period of prior service in respect to which no leave has been enjoyed by him shall, for the purpose of determining his right to additional leave, be deemed to be time of service as a Supreme Court judge; but the additional leave acquired by virtue of such previous service shall in no case exceed two months.

SEC. 269. *Accumulation of leave.*—Additional leave and leave in lieu of court vacation, if not taken in whole or in part as the same accrue, shall be allowed to accumulate; but the total amount of leave to the credit of a judge at any one time shall not exceed one year, any excess being forfeited.

SEC. 270. *Approval of leave.*—The right of the judges of the Supreme Court to leave of absence may be exercised by them subject only to approval in such manner as the court by resolution may direct, provided all such leaves of absence shall be so arranged as never to deprive the court of a quorum during its regular sessions.

SEC. 271. *Leave of absence of judges of first instance.*—During the yearly court vacation the judges and auxiliary judges of first instance not specially assigned to vacation duty shall be upon vacation leave.

In every third year dating from the commencement of his service each judge and auxiliary judge of first instance may be granted extended leave for three months in addition to the court vacation to which he may be entitled during that year, making a total of five months' leave.

When a person is appointed to the position of judge or auxiliary judge of first instance from some other branch of the Philippine service to which leave is incident, any period of prior service in respect to which no leave has been enjoyed by him shall, for the purpose of determining when he may be allowed to go upon extended leave, be deemed to be time of judicial service.

SEC. 272. *How leave may be taken.*—The five months' extended leave of a judge or auxiliary judge of first instance shall be assigned to him by the Department Head, and with his consent, may be taken at any time during the year, without including the court vacation, provided the judge enjoying the same shall have been assigned for duty during the part or whole of the court vacation not included in the leave granted. Extended leave beginning in the latter part of any year may run to conclusion in the succeeding year,

and the Department Head may, in any case, postpone the extra three months from one year to the next, if this is required by the exigencies of the service.

If any judge should serve for five and one-half years or more without enjoying extended leave, he may be allowed leave for eight months if, in the opinion of the Department Head, the exigencies of the service permit, but in such case the period of leave granted must embrace the full period of a regular court vacation.

Any officer appointed to a position carrying accrued leave from a position carrying judges' leave shall be allowed accrued leave for the period of actual service during which extended leave has not been enjoyed by him, subject to the same limitations as are applicable generally to accrued leave.

SEC. 273. *Commutation of salary.*—When a judge of any court goes abroad upon extended leave taken under this chapter, the salary incident to the period of such leave may be paid before departure; but when a judge who has served more than two and less than three years is granted such leave, no payment for the time in excess of the ordinary court vacation shall be made until he returns to duty and completes three years of service. For the purposes hereof, the service of a judge appointed from the United States shall be deemed to begin thirty days before he arrives in the Islands ready for duty.

SEC. 274. *Vacation and leave of teachers.*—Persons in the teaching service other than the classes designated in section two hundred seventy-nine hereof as not being entitled to accrued leave, and such as are designated for continuous duty shall be entitled to teachers' vacation; and upon the approval of the Secretary of Public Instruction such persons may, not oftener than once in three years, be granted extended leave on full pay during vacation period, with permission to spend a vacation period abroad.

SEC. 275. *Persons in teaching service designated for continuous duty in vacation periods.*—For the good of the service the Director of Education, or in the case of employees of the University of the Philippines, the President of the University, may, with the approval of the Secretary of Public Instruction, designate persons in the teaching service for continuous duty. Teachers so designated shall be entitled to accrued leave instead of teachers' vacation leave, and shall render the same hours of service as other employees entitled to accrued leave.

SEC. 276.¹ *Persons entitled to accrued leave.*—After at least two years' continuous, faithful, and satisfactory service, the proper Head of Department shall, subject to the requirements of the public service, grant each regularly and permanently appointed officer or employee in the Philippine Civil Service, except as hereinafter provided, twenty-four days' accrued leave of absence with full pay, in-

¹ As amended by Acts Nos. 2911 and 3087 approved on March 23, 1920, and March 16, 1923, respectively.

clusive of Sundays and holidays, for each year of satisfactory service in the Islands, or abroad, if specially detailed.

SEC. 277. *Computation of leave and pay earned under different salaries.*—In case of a change of salary, whether occasioned by transfer from one position to another or to an office newly created, or otherwise, leave and pay shall be so computed as to correspond with the salaries at which and periods during which such leave and pay were earned, and the same amount of pay shall be allowed as if leave had been taken while the officer or employee was receiving the salary at which it accrued.

SEC. 278. *Anticipation of leave to accrue during absence.*—Leave shall accrue during authorized absence on leave with pay, and leave so to accrue may be allowed by anticipation at the time leave is granted.

SEC. 279.¹ *Persons not entitled to accrued leave.*—The following persons shall not be entitled to accrued leave.

(a) Laborers, skilled and unskilled, whose rate of compensation is less than two thousand pesos per annum.

(b) Temporary and emergency employees, except detectives and secret agents.

(c) Persons whose compensations are authorized at other than a yearly rate, except officers detailed from the military, naval, or civil service of the United States.

(d) Persons enlisted for a term of years.

(e) Watchmen.

(f) Linemen.

(g) Persons who receive compensation for official duties not requiring all their time; and persons whose salary is wholly or partly paid by municipalities, except deputy provincial and municipal treasurers or deputy provincial and township treasurers.

(h) Persons guilty of conduct requiring separation from the service.

(i) Persons brought to the Islands on special contract.

(j) Any person or class of persons whose right to leave is governed by special provisions, in which case such special provisions shall obtain.

SEC. 280.² *Accumulation of accrued leave.*—If accrued leave is not taken, in whole or in part, as earned, the same shall accumulate for five years, after which the person entitled to leave may obtain accrued leave for five years' service; but if the requirements of the Bureau or office do not permit of this, such person shall be entitled to collect annually the value of the additional leave not so accumulated.

SEC. 281. *Accrued leave for Legislative employees.*—Accrued leave shall not be enjoyed by Legislative employees who serve during legislative sessions only, but such privileges may be granted in the discretion of the President or Speaker to all permanent employees of the Senate or House, respec-

¹ As amended by Act No. 3087 approved March 16, 1923.

² As amended by Act No. 2990 approved on February 26, 1921.

tively, after not less than one year of continuous and satisfactory service.

SEC. 282. *Payment of equivalent of leave of deceased person.*—The salary equivalent of leave earned by a deceased person shall be paid to the person or persons entitled to receive his estate.

SEC. 283. *Time of application for persons resigning.*—In case of resignation no application for leave shall be considered if not presented within six months after separation from the service.

SEC. 284.² *Vacation leave in addition to accrued leave.*—After at least six months' continuous, faithful, and satisfactory service, the Governor-General or proper Head of Department may, in his discretion, grant to each officer or employee entitled to accrued leave, in addition to such accrued leave, eighteen days' vacation leave of absence with full pay, inclusive of Sundays and holidays, for each calendar year of service.

SEC. 285.¹ *Vacation leave for craftsmen and classified apprentices of the Bureau of Printing.*—A craftsman or classified apprentice of the Bureau of Printing may be granted thirteen days' vacation leave, at the salary received by him upon taking such leave, after at least one year of continuous, faithful, and satisfactory service as craftsman or classified apprentice, in accordance with the civil service rules and such other rules as the Department of Finance may prescribe, and the Head of said Department may suspend the vacation leave granted, or part thereof, if in his judgment the needs of the public service require it.

SEC. 286. *When vacation leave to be taken.*—Vacation leave must be taken within the calendar year in which it is earned. The vacation leave allowable for one year of service, and no more, may be allowed in connection with accrued leave granted. In cases of resignation, vacation leave shall not be allowed in addition to accrued leave.

SEC. 287. *Leave to go abroad—Half pay and travel allowance.*—When an employee entitled to accrued leave has served in the Islands for three years or more and has accumulated to his credit the accrued leave allowed for two full years he may, in the discretion of the proper Department Head, but not oftener than once in each period of three years, be granted permission to go abroad, with the half-pay and travel-expense allowances hereinbelow specified:

(a) If he is given permission to visit the United States, he shall be allowed, with half pay, in addition to the leave granted, sixty days for the time occupied by him in going to and returning from the United States if he is serving in Manila, and if serving in the provinces sixty days plus the actual and necessary time consumed from date of departure from station to date of departure from Manila, and on returning, from date of arrival at Manila to date of

¹ As amended by Act No. 3087 approved March 16, 1923.

arrival at station, such half salary to be paid on return to duty; if he is granted permission to visit any other country he shall be allowed under the same conditions and in lieu of the sixty days' half pay above provided, actual and necessary travel time with half pay not exceeding sixty days.

(b) On the completion of two years of continuous, faithful, and satisfactory service, after returning to the Islands from such leave of absence to visit the United States, he shall be allowed his travel expense from his place of residence in the United States to Manila if he come by the route and steamer directed, and if returning from any other country or from the United States, not residing therein, he shall be allowed his travel expense to Manila from the port of embarkation in the United States or such other country not exceeding four hundred pesos.

Subject to the same qualifications, these privileges shall also be accorded to persons going abroad on teacher's leave under section two hundred and seventy-four hereof.

SEC. 288.¹ *Commutation of salary for persons on leave.*—In favor of persons on accrued leave or teacher's leave, the proper Department Head may, in his discretion, direct a commutation of the salary that would be received during the period of leave and in lieu of the payment of such salary in usual course authorize the payment, from the fund out of which the salary would have been paid, of an equivalent sum in gross on or before the beginning of such leave or vacation.

SEC. 289. *Commutation of salary in case of separation from service.*—The salary incident to leave may be in like manner commuted upon the death or separation from the service of any person entitled thereto.

SEC. 290. *Return to duty pending leave.*—No officer or employee whose salary has been commuted shall be permitted to return to duty before the expiration of the period covered by his leave, unless he first refunds to the Government the value of the unused portion of his leave; but the requirement as to the making of such refund may be waived, in the discretion of the Department Head, in the case of an officer or employee separated from the service through lack of work or the abolishment of his position.

In case of voluntary service without pay rendered during leave granted, the time cannot be saved for future leave.

SEC. 291. *Absence of teachers from duty on account of illness.*—Absence from duty of teachers, due to illness, shall be charged against their vacations, and with the consent of the Secretary of Public Instruction they may remain on duty during vacations for a period equal to that so lost, in which case no deduction of pay shall be made on account of absence caused by illness.

SEC. 292. *Absence of other employees from duty.*—Absence on account of illness of other regularly and permanently

¹ As amended by Act No. 2990 approved on February 26, 1921.

appointed officers and employees in the Philippine Civil Service who are entitled to accrued leave shall be charged first against their vacation leave and then against accrued leave, until both are exhausted, when their further absence shall be without pay.

SEC. 293. *Withholding of salary incident to leave.*—Payment of salary to an officer or employee for any absence during his first six months of service properly chargeable to vacation leave, or during his first two years of service properly chargeable to accrued leave, shall be withheld until such leave may properly be taken under the provisions of this chapter; though in case of absence due to illness the Governor-General or proper Head of Department may direct that payment for such absence be not withheld if not in excess of the vacation and accrued leave to his credit.

SEC. 294. *Application for leave—Action of office chief.*—Applications for accrued or vacation leave shall first be acted upon by the chief of the Bureau or Office to which the applicant pertains. It shall then be transmitted by such chief to the Director of Civil Service.

SEC. 295. *Final determination by Department Head.*—The respective heads of Departments may authorize the Director of Civil Service to act finally upon the application in all cases in which he approves the recommendation of the chief of the Bureau or Office in regard to such leave. Otherwise the matter shall in all cases be determined finally by the Department Head.

SEC. 296. *Title of chapter.*—This chapter shall be known as the Travel Expense Law.

SEC. 297. *Definition of "travel expense."*—"Travel expense" shall be held to include not only the actual and necessary expenses of transportation of one's person and essential baggage but also the actual and necessary expenses of subsistence and lodging while en route or absent from permanent station, together with such other items necessarily incidental thereto as shall, by regulation, be allowed by the Auditor with the approval of the Governor-General.

SEC. 298. *Travel expense of Insular employees.*—When traveling or when absent from their permanent stations on official business, officers and employees of the Insular Government shall be allowed their travel expenses, to be charged to the Bureau or Office for which the service is rendered.

SEC. 299.¹ *How to be paid.*—Travel expenses shall be allowed either in the form of payment of the travel expenses actually and necessarily incurred, or in the discretion of the chief of Bureau or head of Office, by the payment of per diems, or fractional per diems, in lieu of expenses other than transportation.

Per diems shall not be allowed to members of field parties or others for whom subsistence in kind is supplied or other special provisions made to cover travel expense.

¹ As amended by Act No. 2857, approved on March 12, 1919, with retroactive effect since January 1, 1919.

When travel is done by water and subsistence is not included in the transportation the amount actually and necessarily expended for subsistence shall be paid, and no per diem shall be allowed in lieu thereof.

SEC. 300. *Schedule of per diems for Insular officers and employees.*—Per diems, when allowed, shall be in accordance with the following schedules:

(a) Officers and employees receiving a salary of less than one thousand two hundred pesos per annum, a per diem of one peso.

(b) Those receiving one thousand two hundred pesos or more per annum, but not exceeding one thousand eight hundred pesos per annum, a per diem of two pesos.

(c) Those receiving more than one thousand eight hundred pesos per annum, but not exceeding two thousand four hundred pesos per annum, a per diem of three pesos.

(d) Those receiving more than two thousand four hundred pesos per annum, but not exceeding six thousand pesos per annum, a per diem of four pesos.

(e) Those receiving more than six thousand pesos per annum, a per diem of five pesos.

Persons whose compensations are stated at rates other than per annum may be given the allowances authorized for employees at a corresponding per annum compensation.

SEC. 301. *Control of head of Office over allowance of per diems.*—Chiefs of Bureaus and heads of Offices shall make such examination in passing upon per diems as may be necessary to satisfy their minds that the per diems allowed will not more than reimburse employees for necessary travel expenses and will not constitute an increase of salary.

SEC. 302. *Per diems of detailed Army and Navy officers.*—Officers of the United States Army or Navy detailed for duty with the Insular Government shall receive, when traveling on official business of this Government, the per diems corresponding to the salary of the position which the officers are filling under detailed, and subject to the same conditions as other officers; and, if no salary is fixed by law for such positions, the officers shall be considered as included in the class for which a per diem of five pesos is authorized.

SEC. 304. *Travel expense of provincial employees.*—Officers and employees of provincial governments when traveling, or when absent from their permanent stations on official business, shall be allowed travel expenses as follows, to be paid from the funds of their respective provinces:

(a) When traveling by water transportation, the actual travel expenses incurred.

(b) While in the city of Manila, a per diem of six pesos, which shall include transportation while in said city.

(c) When otherwise traveling or absent from station, the cost of transportation of person and essential baggage, together with a per diem to be fixed by the provincial board for expenses other than transportation, which per diem shall not exceed two pesos unless the Department Head shall approve a greater allowance.

Officers and employees who are technically in the Insular service but whose salary or compensation is paid by the province in which their service is performed shall be on the same footing in regard to the allowance of travel expense as other provincial employees.

SEC. 305. *Travel expense of employee transferred to other branch of service.*—When a Government employee is transferred from one branch of the service in the Islands to another, he shall be entitled to receive from the branch of the service to which he is transferred reimbursement of the travel expense incurred in reaching his new permanent station or place where he is assigned to duty.

SEC. 306. *Travel expense of appointee going to station.*—When a resident of the Philippine Islands, not already in the Government service, is appointed to a position which necessitates a change of residence, he shall receive from the branch of the service to which he is appointed reimbursement of the travel expense incurred in going to his permanent station or place where he is assigned to duty.

SEC. 307. *Travel expenses of judges.*—A judge, who at the time of his appointment resides in the United States, shall, upon entering the service, be allowed the travel expense of himself and family from his place of residence to Manila; and if one has been employed as judge in the Philippine Islands for three years, he shall, if he so requests, upon his retirement from the service, be furnished with transportation for himself and family from Manila to his place of residence.

SEC. 308. *Refund to employee of travel expense paid by him.*—Except in the case of a judge, the travel expense of an appointee to the Philippine Civil Service, paid by himself, from his place of residence in the United States to Manila shall, if the journey be consummated by the route and steamer directed, be refunded to him at the expiration of two years' continuous, faithful, and satisfactory service, after his arrival in the Philippines, such refund to be made from the funds of the Bureau, Office, or province with which he is at that time connected.

SEC. 309. *Deduction from salary for travel expense advanced—Final refund to employee.*—When an employee is coming to Manila, the cost of his transportation, or any part thereof, may be advanced to him by the Government; and when this is done, the amount of such advance shall be made a charge against the Bureau, Office, or province to which he is assigned on his arrival, or return; and in such event ten per centum of his monthly salary shall be retained and paid into the Insular Treasury to the credit of a travel expense trust fund, until the amount so paid in is equal to the amount paid out by the Government. At the end of the period of two years of satisfactory service the amount so paid by the employee shall be returned to him from such fund.

SEC. 310. *Audit and certification of accounts for travel expenses.*—Accounts of employees for expenses of travel from the United States or foreign countries to Manila shall be filed with the Insular Auditor upon their arrival in Manila, for advance audit and subsequent certification to the proper Bureau, Office, or province, for payment when due.

SEC. 311. *Applications for transportation on commercial steamship.*—Where a commercial steamship company makes a concession from its regular rates for ocean transportation in favor of persons in the Government service, members of their families, fiancées, or other persons dependent upon them, official requests for such transportation and the necessary certificates showing the right of the applicants to such concession shall, when required, be supplied by or under the authority of the Governor-General.

SEC. 312. *Applications for transportation on Army transports.*—Applications for ocean transportation upon United States Army transports in behalf of persons in the Philippine service entitled to such transportation, together with any certificate, or certificates, required in connection therewith, shall also be transmitted by or under the authority of the Governor-General to the department quartermaster of the United States Army or other official having control of such transportation.

SEC. 418. *Disqualification of inspector.*—Any person appointed as inspector who accepts appointment and qualifies for the office may not be appointed to any other office unless one year shall have elapsed from the last election in which he acted as inspector and he shall have resigned the office prior to his appointment.

SEC. 449.¹ *Persons prohibited from influencing elections.*—No judge of first instance, justice of the peace, or treasurer, fiscal, or assessor of any province and no officer or employee of the Philippine Constabulary, or of any province or municipality, or of the Bureau of Education, or employee of the classified civil service, shall aid any candidate or exert influence in any manner in any election or take part therein otherwise than by exercising the right to vote.

All foreign persons shall be strictly prohibited from aiding any candidate, either directly or indirectly, and from taking part in or influencing any election in any manner.

SEC. 549. *Seal of Bureau.*—The respective Bureaus shall keep appropriate seals, with which shall be sealed all commissions, records, transcripts, and other documents requiring authentication.

SEC. 550. *Powers and duties of chiefs of Bureaus.*—The Director or other chief official in each Bureau or Office shall exercise the functions of chief executive and administrative officer thereof. It shall be his duty, under the immediate executive control, direction, and supervision of the proper Department head, to exercise general authority in all matters embraced within the jurisdiction of the

¹ As amended by Act No. 3030, approved on March 9, 1922.

Bureau or relating to the operation thereof and to see to the enforcement of all laws and regulations pertaining to it.

For administrative purposes, a Bureau chief may, consistently with law, distribute the work of his Bureau among such permanent divisions and sections as may be deemed advisable; and he shall define the duties of his subordinates in so far as may be desirable for the efficiency of the service.

SEC. 551. *Authority to prescribe forms and make regulations.*—Every chief of Bureau shall prescribe forms and make regulations or general orders, not inconsistent with law, to secure the harmonious and efficient administration of his branch of the service and to carry into full effect the laws relating to matters within the jurisdiction of his Bureau; but penalties shall not be prescribed in any such regulations or orders for violation thereof except as expressly allowed by law.

Regulations and orders shall become effective only when approved by the Department head and published in the Official Gazette or otherwise publicly promulgated. Formal approval or publication shall not be necessary as regards circulars of information or instructions for the guidance of officers and employees in the internal administration of the affairs of the Bureau.

All general orders issued by a Bureau chief shall be serially numbered. Such orders shall be called administrative orders and they shall be so entitled.

SEC. 552. *Officials and subordinates of Bureaus and Offices in general.*—The officials and subordinates of each of the several Departments, Bureaus, Offices, and branches of the service shall consist of such as are specified in this Code and of such other assistants, clerks, employees, and agents as may, in each case, be essential to the proper accomplishment of the work required to be done and available within the limits of appropriated funds.

SEC. 553. *Authority of Bureau chief to employ and discharge subordinates.*—Laborers receiving compensation at a rate of seven hundred and twenty pesos or less per annum and other employees receiving compensation at the rate of two hundred and forty pesos or less per annum shall be employed and discharged by the chief of Bureau or Office, subject only to the general control of the Department head.

Other subordinates and employees shall be employed and discharged by the chief of Bureau or Office and, except as otherwise specially provided, in conformity with the provisions of the Civil Service Law.

SEC. 554. *Duties of assistants and other subordinates.*—Assistant chiefs and other subordinates in every Bureau, Office, and branch of the service shall, respectively, perform therein such duties as may be required of them by law or regulation or as may be specified by the chief or head of the office or other person in lawful authority over them.

The circumstance that the duties of any subordinate officer or employee are specified by law shall not, in the absence of special restriction, be understood to prevent his being

assigned to additional duties by proper authority, when not inconsistent with the performance of the duties imposed by law.

SEC. 555. *Acting chief of Bureau.*—During the absence or disability of the chief of a Bureau, the Department Head may designate as acting chief the Under Secretary of the Department, who shall perform the duties of the office in addition to his duties as such Under Secretary, or any officer or employee of the Bureau or other officer or employee in the Department.

SEC. 556. *Designation of acting head of Office by Governor-General.*—During the temporary absence or disability of the head of any Office or branch of the service, not in or subordinate to a Bureau, the Governor-General may, in the absence of special provision, designate any officer or employee to fill his place.

SEC. 557. *Performance of duties of subordinate officers temporarily absent.*—In case of the temporary absence or disability of any subordinate officer or employee in any Bureau or Office, the chief of such Bureau or Office may, in the absence of special provision, designate any other subordinate officer or employee in his Bureau or Office temporarily to perform the duties of the person thus absent or disabled, or he may temporarily perform such duties himself.

SEC. 558. *Filling of vacancies.*—Vacancies caused by the death, resignation, or removal of any officer or subordinate may be temporarily supplied in the same manner as in case of absence or disability. Such vacancies shall not be filled by permanent appointment until the expiration of any leave allowable to the predecessor, unless the Governor-General or proper head of Department is of the opinion that the exigencies of the service require that the appointment be made forthwith.

SEC. 559. *Filling of vacancy by appointment of person or persons in lower grade.*—With the prior approval of the Governor-General or proper head of Department, a vacancy in a position of any grade may be filled by the appointment of one person or more of a lower grade; but in such case the aggregate of salaries paid shall not be greater than the salary authorized by law for that position.

SEC. 560. *Bonds required of private persons—Duties of Bureau chief in respect thereto.*—The chief of each Bureau shall, consistently with law, prescribe the form and fix the amount of all bonds executed by private parties to the Government under the laws pertaining to his Bureau and shall pass on the sufficiency of the security and retain possession of the bond.

When it appears that any such bond is risky or insufficient, such chief may require better security, and after notice to the party concerned, and upon his failure within a reasonable time to give better security, or additional security, may abrogate the privileges secured by the giving of the bond, but such action shall be without prejudice to the liability of any person or property already obligated.

SEC. 561. *Contract for transportation equipment belonging to employee—Loan for purchase of equipment.*—Subject to restriction and regulation by executive order the chiefs of Bureaus may, in the absence of other adequate transportation equipment, enter into contracts with employees for the use by the latter, respectively, on official business, of transportation equipment owned by them, at a rental to be paid from the transportation-expense funds of the Bureau in question; but no allowance hereunder shall be in excess of twenty pesos per month in the case of a horse, or thirty pesos per month in the case of motor vehicles or vessels. When the nature of the official duties of any such employee justifies the permanent assignment to him of transportation equipment for his official use, he may, in the absence of other suitable means of transportation and with the prior approval of the proper head of Department, be loaned from the same funds an amount sufficient to purchase the necessary means of transportation, not to exceed four hundred pesos for an American horse or motor vehicle and two hundred pesos for a native horse, such loan to be repaid to the Government in monthly installments of not less than ten per centum of the amount loaned.

SEC. 562. *Legal hours of labor—Minimum requirement.*—The chiefs of Bureaus and Offices in every branch of the Government service shall require of all employees, of whatever grade or class, not less than the legal number of hours of labor.

Such hours, except for schools and courts, shall be as prescribed in the Civil Service Rules and as otherwise from time to time disposed in temporary executive orders, in the discretion of the Governor-General; but save on Saturday and during the heated season they shall not be less than six and one-half hours per day, not including time for lunch.

SEC. 563. *Government employees not required to work on holidays.*—Upon holidays the schools, courts, and the various Departments, Bureaus, and Offices pertaining to the administration of the Insular, provincial, and municipal governments shall be closed; and on such days attendance or labor shall not be required of employees, except as otherwise provided.

SEC. 564. *On Saturdays and during heated season.*—On Saturdays throughout the year and on all days during the heated season, from April first to June fifteenth, inclusive, the period of labor may be reduced to five continuous hours; but an executive order so disposing shall not oblige the head of any Department, Bureau, or Office so to reduce the hours of labor in his branch of work, but shall leave the same in his discretion subject to the requirements of the service.

SEC. 565. *Temporary suspension of labor for special reasons.*—The Governor-General may, for special reasons only, direct that any Department, Bureau, or Office be closed during any particular day, or for part of a day, as occasion requires.

SEC. 566. *Extension of hours and requirement of overtime work.*—When the interests of the public service so require, the head of any Department, Bureau, or Office may extend the daily hours of labor, in what manner soever fixed, for any or all of the employees under him, and may likewise require any or all of them to do overtime work not only on work days but also on holidays.

SEC. 579. *Inhibition against purchase of property at tax sale.*—Officials and employees of the Government of the Philippine Islands are prohibited from purchasing, directly or indirectly, from the Government, any property sold by the Government for the nonpayment of any public tax. Any such purchase by a public official or employee shall be void.

SEC. 580. *Powers incidental to taking of testimony.*—When authority to take testimony or evidence is conferred upon an administrative officer or upon any non-judicial person, committee, or other body, such authority shall be understood to comprehend the right to administer oaths and summon witnesses and shall include authority to require the production of documents under a subpoena *duces tecum* or otherwise, subject in all respects to the same restrictions and qualifications as apply in judicial proceedings of a similar character.

Any one who, without lawful excuse, fails to appear upon summons issued under the authority of the preceding paragraph or who, appearing before any individual or body exercising the power therein defined, refuses to make oath, give testimony, or produce documents for inspection, when thereunto lawfully required, shall be subject to discipline as in case of contempt of court and upon application of the individual or body exercising the power in question shall be dealt with by the judge of first instance having jurisdiction of the case in the manner provided by law.

SEC. 598.¹ *Clerks to district auditor.*—The district auditor shall have for each province of his district the number of clerks provided in accordance with the provisions of section two thousand and eighty-one of this Code. Said clerks shall be appointed by the district auditor and shall be under his direction, and their salaries and travel expenses shall be paid from the funds of the province to which appointed.

SEC. 659. *Title of chapter.*—This chapter shall be known as the Civil Service Law.

SEC. 660. *Chief officials of Bureau of Civil Service.*—The Bureau of Civil Service shall have one chief and one assistant chief, to be known, respectively, as the Director of Civil Service and the Assistant Director of Civil Service.

SEC. 661. *Duties of Director of Civil Service.*—It shall be among the powers and duties of the Director of Civil Service—

(a) To keep a record of all officers and employees in the

¹ As amended by Act No. 2811, approved on March 3, 1919.

permanent service of the different branches of the Philippine Government.

(b) To keep a record of the absences of all officers and employees entitled to leave of absence.

(c) To supervise the preparation and rating and have control of all civil-service examinations in the Philippine Islands.

(d) To fix proper limits of age for applicants desiring to enter the service.

(e) To make investigations and special reports upon all matters relating to the enforcement of the Civil Service Law and civil-service rules.

(f) To prepare and certify to the Governor-General such rules as may be adapted to the more effectual carrying out of the provisions and purposes of the Civil Service Law and to the securing of an efficient administration of the Government within the scope of the Civil Service Law, such rules to be effective when approved by the Governor-General and promulgated in an executive order.

SEC. 662. *Matters to be prescribed in civil-service rules.*—The civil-service rules shall, among other things, prescribe the conditions which shall govern certifications from eligible registers, appointments to the service, separations therefrom, suspensions, deductions from pay, reductions, reinstatements, and transfers, and shall define the procedure to be followed in such matters. They shall also contain regulations concerning the hours of labor, the allowance of leaves of absence (including the withholding of salary for leave granted), and the allowance of travel expenses and half salary of persons entitled thereto—all in conformity with the provisions of this Code. The rules shall also prohibit or regulate the political activity of persons in the civil service.

SEC. 663. *Fundamental requirements as to civil-service rules.*—Any civil-service rules promulgated by the Governor-General upon the recommendation of the Director shall be consistent with the following fundamental requirements:

(a) So far as feasible open competitive entrance examinations shall always be required and given, though appointments to positions requiring technical, professional, or scientific knowledge may, in the discretion of the Director, be made upon either competitive or noncompetitive examinations.

(b) Promotion examinations, competitive or noncompetitive, shall be prescribed when practicable.

(c) A thorough physical examination by a competent physician shall be required of every applicant for examination in the United States, and in the discretion of the Director of Civil Service, the same may be required of applicants for examination in the Philippine Islands. Persons found to be physically disqualified for efficient service shall be rejected.

(d) A period of trial service shall be required before appointment or employment is made permanent.

SEC. 664. *Authority of officers and examiners to administer oaths and take testimony.*—Officers and examiners of the Bureau of Civil Service may administer such oaths as may be necessary in the transaction of official business, and the Director or other person conducting any investigation authorized by him may administer oaths and take testimony in connection therewith.

SEC. 665. *Duty of officers to aid enforcement of law.*—All officers in the Philippine civil service shall aid in all proper ways in carrying the Civil Service Law and the civil-service rules into due effect.

SEC. 666. *Publication of Official Roster.*—From the records kept by the Director of Civil Service shall be published an official roster at intervals determined by the Governor-General.

SEC. 667. *Annual report of Director of Civil Service.*—The annual report of the Director of Civil Service to the Governor-General shall contain an account of the work performed by the Bureau, a statement of the rules certified to the Governor-General and promulgated by him and the practical effect thereof, to which shall be added suggestions and recommendations for the effectual maintenance of an efficient and honest civil service in all the administrative branches of the Government.

SEC. 668. *Persons embraced in Philippine civil service.*—The Philippine civil service includes every person employed by the Insular Government or any provincial government or by the government of the city of Manila or Baguio, or partly by one and partly by the other of these agencies, and serving for compensation either at a yearly, monthly or daily rate or otherwise; and consistently with other laws concerning appointments, tenure of office, and the conditions of employment in particular cases, such persons shall be appointed and employed in conformity with this law only and shall to the extent herein defined be entitled to its protection and privileges.

SEC. 669.¹ *Civil-service status of municipal treasurers.*—Municipal treasurers, though partly paid from municipal funds, shall nevertheless be deemed included in the definition given in the last preceding section, and as such shall be subject to the examination requirements and disciplinary provisions of this chapter and enjoy the same protection and privileges as the persons mentioned in said section.

SEC. 670. *Persons embraced in classified service.*—Persons in the Philippine civil service pertain either to the classified or unclassified service. The classified service embraces all not expressly declared to be in the unclassified service.

SEC. 671. *Persons embraced in unclassified service.*—The following officers and employees constitute the unclassified service:

- (a) Appointees of the President of the United States.
- (b) Appointees of the Secretary of War.

¹ As amended by Act No. 2741, effective February 18, 1918.

(c) Elected officers.

(d) Persons, other than provincial treasurers and district health officers, appointed by the Governor-General, with the advice and consent of the Upper House of the Philippine Legislature, under the authority of provisions relating to particular offices.

(e) Officers and employees of the Houses of the Philippine Legislature.

(f) The Reporter of the Supreme Court, the Clerk of the Supreme Court, and private secretaries to the individual Justices of the Supreme Court.

(g) Members of the various faculties and other teaching force of the University of the Philippines.

(h) The Private Secretary to the Governor-General, the private secretaries and assistant private secretaries to the several heads of Departments.

(i) Persons in the military, naval, or civil service of the United States who may be detailed for the performance of civil duties.

(j) Members of the commissioned and enlisted service in the Philippine Constabulary.

(k) Detectives, secret agents, sheriffs, and deputy sheriffs.

(l) Postmasters at Army posts whose compensation does not exceed one thousand two hundred pesos per annum each; and operators and linemen in the Bureau of Posts.

(m) Postmasters and customs inspectors whose rates of compensation do not exceed six hundred pesos and three hundred and sixty pesos per annum, respectively, and who may lawfully perform the duties of postmaster or customs inspector in connection with other official duties or in connection with their private business, such duties of postmaster or inspector requiring only a portion of their time, and postmasters who are required to perform the duties of telegraph operators.

(n) Hospital internes.

(o) Laborers whose rate of compensation is seven hundred and twenty pesos or less per annum.

(p) All other employees whose rate of compensation is two hundred and forty pesos or less per annum.

SEC. 672. *Examination as prerequisite to appointment.*—In the absence of special provision, no person shall be appointed to or employed in any position in the classified service until he passes the examination provided therefor.

SEC. 673. *Positions in unclassified service not subject to examination requirements.*—The examination requirements of the Civil Service Law for entrance into the civil service or for promotion therein shall not apply to positions in the unclassified service, except as otherwise specially provided.

Postmasters mentioned in subsection (m) of section six hundred and seventy-one hereof may be subjected to examination in the discretion of the Director of Posts.

Persons appointed to the position of chief or assistant chief of a Bureau or Office or to the position of superin-

tendent may be required to undergo a civil-service examination if the officer making the appointment shall so direct.

SEC. 674. *Examining committees and special examiners.*—The Director of Civil Service may, with the approval of the proper head of Department, appoint examining committees or special examiners from officers and employees in the service. Such persons shall be examiners of the Bureau of Civil Service, and shall perform such duties as the Director may require in connection with examinations, investigations, appointments, and promotions, and in the performance of such duties they shall be under his exclusive control. The duties so performed by them shall be deemed part of the duties of the office to which they pertain, and time shall be allowed for the performance of such duties during office hours.

SEC. 675. *Citizenship as qualification for admission to examination.*—No applicant shall be admitted to examination who is not a citizen of the Philippine Islands or of the United States or an honorably discharged soldier, sailor, or marine of the United States; but the requirement of citizenship may be waived by the Governor-General.

SEC. 676. *Director's authority to elicit information as to qualifications.*—The Director of Civil Service shall have power to elicit, under oath, from all applicants for examination and from persons in the service full information as to their citizenship, nativity, age, education, physical qualifications, and such other information as may reasonably be required affecting their fitness for the service.

SEC. 677. *Oath of applicant for examination.*—Before admission to a civil-service examination in the Philippine Islands, every applicant shall take and subscribe an oath, in such form as shall be prescribed in the civil-service rules, wherein the affiant shall declare that he recognizes and accepts the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that the obligation imposed by such oaths is assumed voluntarily, without mental reservation or purpose of evasion; and that the answers to the questions contained in his application for examination are true to the best of his knowledge and belief.

SEC. 678. *Use of public buildings for civil-service examinations.*—When examinations are held, either in Manila or in the provinces, the officers having custody of public buildings shall allow the reasonable use thereof for such purpose and shall provide for furnishing and lighting the same.

SEC. 679. *Appointment of chief, assistant chief, and superintendent.*—Appointments to the position of chief or assistant chief of a Bureau or Office and to the position of superintendent shall be made by the promotion of persons already in the civil service, if there be such who are com-

petent and available and who in the judgment of the appointing power possess the qualifications required.

SEC. 680. *Appointment to position in civil service.*—Other appointments to positions in the civil service shall be made by the chief of a Bureau with the approval of the proper Department Head.

SEC. 681. *Preference in selection from lists of eligibles.*—In making selections from lists of certified eligibles furnished by the Director, appointing officers shall, when other qualifications are equal, prefer:

First. Citizens of the Philippine Islands.

Secondly. Honorably discharged soldiers, sailors, and marines of the United States.

SEC. 682. *Temporary and emergency employees.*—When work of a temporary or emergency nature is to be performed the chief of the Bureau or Office concerned may employ any suitable person. Eligibles shall be preferred if available; and the prior approval of the Director of Civil Service shall always be obtained if practicable, and if such cannot be procured, the officer making the appointment shall in all cases without delay report such action to the Director and request his approval of the employment. The employment of a noneligible shall cease when the Director certifies an available eligible who will accept temporary or trial appointment.

SEC. 683. *Appointments and removals by Governor-General regardless of civil-service qualifications.*—For the good of the public service the Governor-General, with the consent of the Philippine Senate, may make appointments to and removals from positions in the classified service without regard to the requirements of this law.

SEC. 684. *Limitation on employment of persons in classified service.*—No person appointed to a position in the classified service shall, without the approval of the Director of Civil Service, be assigned to or employed in a position of a grade or character not contemplated by the examination from the results of which appointment was made, unless otherwise provided by law.

SEC. 685. *Limitation on employment of persons in unclassified service.*—A person appointed to a position in the unclassified service shall not be employed in any position in the classified service nor shall he be allowed to do clerical duties other than such as may pertain to the office to which he was appointed.

SEC. 686. *Office records of attendance.*—Each chief of a Bureau or Office shall cause to be kept on a proper form a daily record showing for each day any absence of any employee from duty, due to any cause, and the duration thereof. At the beginning of each month he shall make full report to the Director of Civil Service of the absences shown by such records for the preceding month. Persons serving in the field or on the water need not be required to keep a daily record but all absences of such employees must be

included in the monthly report of changes and absences. Falsification of time records shall render the offender liable to summary removal from the service and subject him to prosecution as provided by law.

SEC. 687. *Contributions to political fund prohibited.*—No person in the Philippine civil service shall be under obligation to contribute to a political fund or to render any political service, nor shall he be removed or otherwise prejudiced for refusing to contribute or render any such service; and no officer or employee in the Philippine civil service shall directly or indirectly solicit, collect, or receive from any other officer or employee, any money or other valuable thing to be applied to the promotion of any political object whatever.

Any person violating any provision hereof shall be removed from office or dismissed from the service and shall be subject also to prosecution as provided by law.

SEC. 688. *Making gifts to official superiors.*—It shall be improper for an officer or employee to make a donation or present any gift of substantial value to an official to whom he is subordinate or to solicit or receive a contribution from other officers or employees in the Government service for the making of such donation or gift. It shall likewise be improper for any official to accept any donation or gift as aforesaid offered or presented to him by any person or persons in the Government service subordinate to himself.

SEC. 689. *Political and religious affiliations to be ignored.*—No inquiry shall be made, and no consideration whatever shall be given to any information relative to the political or religious opinions or affiliations of persons examined, or to be examined, or of officers or employees in the matter of promotion, and no discrimination shall be exercised, threatened, or promised against, or in favor of, any person employed, examined, or to be examined, because of his political or religious opinions or affiliations; and in making removals or reductions, or in imposing other punishment, for delinquency or misconduct, action shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

SEC. 690. *Payment of salary of person in classified service.*—Payment of money on account of salary to any officer or employee in the classified service shall not be made prior to the receipt by the disbursing officer of notification from the chief of the Bureau or Office that the appointment or employment of such officer or employee has been duly authorized as provided by the Civil Service Law and rules.

SEC. 691. *Payment of person employed contrary to law—Liability of chief of Office.*—No person employed in the classified service contrary to law or in violation of the civil-service rules shall be entitled to receive pay from the Government; but the chief of the Bureau or Office responsible for such unlawful employment shall be personally

liable for the pay that would have accrued had the employment been lawful, and the disbursing officer shall make payment to the employee of such amount from the salary of the officer so liable.

SEC. 692. *Liability of disbursing officer for pay of such person.*—When the Director of Civil Service finds that any person is holding a position in the classified service in violation of law, he shall certify such fact to the Insular Auditor and to the disbursing officer through whom the payment of salary or wages to such person is by law required to be made. If the Insular Auditor finds that a disbursing officer has paid or permitted to be paid salary or wages to any person illegally holding a classified position, the whole amount paid shall be disallowed and the disbursing officer shall not receive credit for the same unless the Insular Auditor shall find that the chief of the Bureau or Office is responsible, as above provided, for the payment of such person and that such payment is not due to the failure of the disbursing officer to obtain the evidence required in section six hundred and ninety hereof. In case the disbursing officer is not responsible for the illegal payment, he shall be directed to withhold from the salary of the chief of the Bureau or Office responsible for the illegal employment an amount equal to that disallowed by the Insular Auditor.

SEC. 693. *Opinion of Director of Civil Service on controverted questions related to service.*—A disbursing officer, the head of any Department, Bureau, or Office, or the Insular Auditor, may apply for, and the Director of Civil Service shall render, a decision upon any question as to whether a position is in the classified or in the unclassified civil service, or whether the appointment of any person to a classified position has been made in accordance with law, which decision, when rendered, shall be final unless reversed by the Governor-General on appeal.

SEC. 694. *Suspension of officer pending investigation.*—The Governor-General may suspend any chief or assistant chief of a Bureau or Office, and in the absence of special provision, any other officer appointed by him, pending an investigation of charges against such officer or pending an investigation of his Bureau or Office. The President exercises the same power in regard to his own appointees. The chief of a Bureau or Office may likewise suspend any subordinate or employee in his Bureau or under his authority pending an investigation, if the charge against such subordinate or employee involves dishonesty, oppression, or grave misconduct or neglect in the performance of duty.

SEC. 695. *Administrative discipline of subordinate officers and employees.*—For neglect of duty or violation of reasonable office regulations or in the interest of the public service, a chief of Bureau or Office may remove any subordinate officer or employee from the service, suspend him without pay for not more than two months, reduce his salary or

compensation, or deduct therefrom any sum not exceeding one month's pay.

SEC. 696. *Person in classified service or entitled to leave.*—If the person temporarily suspended or from whose pay a deduction is made is in the classified service or being in the unclassified service is entitled to accrued leave, the discipline imposed shall not take effect until the order imposing the same receives the approval of the proper Department head, after having been submitted to the Director of Civil Service for recommendation.

SEC. 697. *Contract to be executed by appointee coming from United States.*—A person residing in the United States who contemplates accepting an appointment in the Philippine civil service to any other position than that of a judgeship or a place filled by appointment of the President or Secretary of War, shall, before receiving such appointment, execute and deliver to the Chief of the Bureau of Insular Affairs, a contract, wherein he shall agree to remain in the service of the Government of the Philippine Islands for at least two years unless released by the Governor-General or proper head of Department.

Upon breach of such contract by the appointee or upon his removal for cause, he shall be liable for any sum still due to the Government for expenses in bringing him to the Islands, and all salary and travel expense then due or accruing to him shall be withheld as forfeited, and he shall be thereafter debarred from again entering any branch of the Philippine service.

SEC. 698. *Right of person dying or separated from position without fault.*—Where a regularly appointed employee of the permanent service dies or is separated from the service on account of disability, lack of work, or the abolishment of his position, and through no fault of his own, he or his estate shall be allowed such accrued leave as he may have earned for the time served and the travel expense and half pay to which he would have been entitled had he served two full years.

SEC. 699. *Allowances in case of injury, death, or sickness incurred in performance of duty.*—When a person in the Philippine civil service is so injured in the performance of duty as thereby to receive some actual physical hurt or wound, the proper head of Department may direct that absence during any period of disability thereby occasioned shall be on full pay, though not for more than six months, and in such case he may in his discretion also authorize the payment of the medical attendance, necessary transportation, subsistence, and hospital fees of the injured person. Absence in the case contemplated shall be charged first against vacation leave, if any there be.

If a person in such service is killed or dies of injuries received in line of duty, the Department head may authorize the payment of reasonable burial expenses and of three months' salary or wages to the widow or dependent child or

children of such deceased person, which shall be in accord with his efficiency and service to the Government.

In case sickness follows as a direct and immediate consequence of the performance of some act in the line of duty the Department head may in his discretion authorize the payment of the necessary hospital fees.

For employees of the City of Manila the time allowance and disbursements contemplated above shall not be granted except upon recommendation of the mayor of the city, with the prior approval of the Secretary of the Interior; and in the case of employees of a provincial government, upon the recommendation of the provincial board.

SEC. 700. *Priority of Government employee in admission to hospitals.*—A person entitled under the rules of any Government hospital to service in the free wards thereof, shall have a right of priority in admission to such free wards, being a Government employee, or the wife, or minor child of such.

SEC. 1017. *Vacation leave for employees of sanitary divisions.*—Under such conditions as the provincial authorities and the district health officer may approve, presidents of sanitary divisions and other employees of divisions receiving an annual salary of less than two thousand pesos may be granted leave with pay not to exceed twenty-one days for each calendar year; and those receiving an annual salary of two thousand pesos or more may be granted leave with pay not to exceed twenty-eight days for each calendar year. All such leave shall be taken during the calendar year in which it accrues. During an epidemic no leave shall be granted without the approval of the Director of Health.

SEC. 1031. *Duty of medical officers of other Bureaus to render medical service.*—Where a physician of the Philippine Health Service or other health officer is not available to perform medical service for a Government employee or other person entitled thereto, such service shall be rendered by any accessible medical officer of the Philippine Constabulary or other Bureau.

SEC. 1032. *Medical attendance for Government employee sick at point remote from hospital.*—When an officer or employee of the Insular Government or of a provincial government is ill at a point remote from a hospital under the control of the Insular or of a provincial government, and it appears that medical attendance is necessary to preserve his life, the Director of Health at the direction of the Governor-General, shall order a medical officer or nurse to attend such ill person and, if necessary, conduct him to the nearest hospital for treatment.

SEC. 1033. *Payment of expenses.*—The actual and necessary travel expenses of such physician or nurse shall be a proper charge against the Bureau or Office with which the patient is connected, and, if the patient is an employee of a provincial government, such travel expenses may be made a proper charge against the provincial treasury.

In such case the travel expenses and subsistence of such ill employee to or from a hospital shall be a personal charge to be borne by himself.

SEC. 1674. *Deputy provincial fiscal.*—Where the provincial board shall authorize the appointment of a deputy provincial fiscal in the office of the provincial fiscal, the person appointed thereto shall be a lawyer who has been duly admitted to practice in the courts but he shall not be subject to the examination requirements of the Civil Service Law.

SEC. 1731. *Provincial governor as keeper of jail.*—The governor of the province shall be charged with the keeping of the provincial jail, and it shall be his duty to administer the same in accordance with law and the regulations prescribed for the government of provincial prisons. The immediate custody and supervision of the jail may be committed to the care of a jailer to be appointed by the provincial governor. The position of jailer shall be regarded as within the unclassified civil service but may be filled in the manner in which classified positions are filled, and if so filled, the appointee shall be entitled to all the benefits and privileges of classified employees, except that he shall hold office only during the term of office of the appointing governor and until a successor in the office of jailer is appointed and qualified, unless sooner separated.

SEC. 1898. *Employment of persons in Government service as Weather Bureau observers.*—At subordinate stations where other suitable persons are not procurable the Director of the Weather Bureau may appoint any suitable Government employee to act as observer for and during such time as the head of the Department to which the employee in question pertains shall approve.

Persons so appointed may receive salaries as Weather Bureau observers in addition to their other compensation as Government employees.

SEC. 1899. *Right of employees to engage in additional employment.*—Upon authorization by the Head of the Department any third-class observer, rain observer, or assistant to a first class observer, may engage in private business or accept employment from another branch of the Insular or Federal Government and receive compensation therefor; but additional Government employment shall be entered upon only after arrangement therefor shall have been mutually agreed upon between the Head of the Department and the head of the other Bureau or Office concerned.

SEC. 2059. *Duties and functions of Bureau of Labor.*—The Bureau of Labor shall have the power, and it shall be its duty—

* * * * *

(c) To organize in such towns in the Philippine Islands as it may deem necessary or advisable one or more free employment agencies. A fee in an amount to be fixed by the Director of Labor, with the approval of the Department

Head, may be collected by said Director from employers for services performed by an employment agency in securing servants and employees. An employment agent shall not be subject to the provisions of the Civil Service Law, unless his appointment shall so state.

SEC. 2077. *Compensation for person appointed to temporary service.*—When a person not in the Government service is appointed to fill temporarily the position of a provincial officer, the appointee shall receive during the period of his service compensation equal to that fixed by law for the permanent appointee, to be paid from the provincial treasury as other salaries.

In case of the temporary absence or disability of a provincial officer or in case of a vacancy in a provincial office, the Governor-General or officer having the power to fill such position may, in his discretion, order the payment of compensation, or additional compensation, to any Government officer or employee designated or appointed temporarily to fill the place; but the total compensation paid shall not exceed the salary authorized by law for the position filled.

SEC. 2078. *Suspension and removal of provincial officer by Governor-General.*—Should the Governor-General have reason to believe that any provincial officer or any lieutenant governor of a subprovince is guilty of disloyalty, dishonesty, oppression, or misconduct in office, he may suspend him from the discharge of the duties of his office, and, after due notice to the suspended officer, shall investigate the cause of suspension and either remove him from office, or reinstate him, as the circumstances may require.

SEC. 2079. *Payment of salary accruing pending suspension.*—When a provincial officer is suspended he shall receive no salary from and after the date of his suspension, unless so provided in the order of suspension; but upon subsequent reinstatement of the suspended person or upon his exoneration, if death should render reinstatement impossible, any salary so withheld may be paid in whole or in part upon order of the Department Head approved by the Governor-General.

SEC. 2081. *Employment of subordinates.*—Subject to regulation by the Chief of the Executive Bureau, the provincial board shall fix the number of assistants, deputies, clerks, and other employees for the various branches of the provincial government and the rates of salary or wage they shall receive.

After their number and compensation shall have been thus determined, the provincial governor, treasurer, fiscal, or other provincial official, shall appoint the personnel under their respective control, and except as otherwise specially provided, in conformity with the provisions of the Civil Service Law.

SEC. 2093. *Application of Civil Service Law to assessor and deputy assessor.*—The positions of assessor and deputy assessor shall not be primarily subject to the provisions of

the Civil Service Law; but if any civil service employee should be transferred to such position or the duties thereof should be imposed upon any such employee, his civil service status and privileges shall not be thereby suspended or impaired.

A Government employee appointed to the position of deputy assessor may be allowed additional compensation for his services in such capacity.

SEC. 2098. *Secretary of the provincial board.*—There shall be a secretary of the provincial board, whose duty it shall be to attend the meetings of the board and act as its recording officer and secretary.

The secretary of the provincial board shall be the keeper of the seal of the province and he shall attest therewith the official acts of the provincial governor and shall record all those of the governor's acts which are required by law to be recorded. He shall receive from the provincial governor and file in his office all reports to the provincial governor required by law, and shall index the same, and he shall generally act as custodian of all provincial records and documents. He shall, on demand, furnish certified copies of all public records and documents, for which he shall charge ten centavos for each hundred words, including the certificate, all the proceeds whereof shall be paid into the provincial treasury.

The position of secretary shall be regarded as within the unclassified civil service but may be filled in the manner in which classified positions are filled, and if so filled, the appointee shall be entitled to all the benefits and privileges of classified employees, except that he shall hold office only during the term of office of the appointing governor and until a successor in the office of secretary is appointed and qualified, unless sooner separated.

SEC. 2447.¹ *Appointment and removal of officials and employees.*—With the consent of the Philippine Senate, the Governor-General shall appoint the fiscal of the city and his assistants, the judge and the clerk of the municipal court and, in case of a temporary vacancy on such court, an acting judge therefor, the justice and auxiliary justice of the peace, the city engineer and his assistants, the chief of police and his assistant, the chief of the fire department, the city treasurer, the city assessor, and the city superintendent of schools. Subject to the provisions of the Civil Service Law, the mayor shall appoint all other officers and employees of the city whose appointment is not otherwise provided for by law. The mayor may suspend, and remove, any appointive city officer or employee not appointed by the Governor-General, and may recommend to the Governor-General the suspension or removal of any city officer or employee appointed by him. Any such suspension or removal

¹ As amended by Act No. 2991 approved on February 26, 1921.

by the mayor shall be appealable to the Department Head, whose determination of the matter shall be final.

SEC. 2673. *Solicitation of political contribution or political service.*—Any officer or employee in the Philippine civil service who shall directly or indirectly solicit, collect, or receive from any other officer or employee in such service any money or other valuable thing to be applied to the promotion of any political object or purpose or shall solicit or require him to render political service of any sort, and any officer who shall remove any other officer or employee in such service or otherwise injuriously affect or prejudice him in his official position on account of his failure or refusal so to contribute or render political service, shall be punished by a fine not exceeding one thousand pesos or by imprisonment not exceeding six months, or both.

SEC. 2674. *Sundry frauds.*—Any person who shall by himself or in coöperation with another defeat, deceive, or obstruct any person in the matter of his right of examination by the Bureau of Civil Service, or who shall falsely rate, grade, estimate, or report upon the examination or standing of any person examined by the Bureau of Civil Service, or shall aid in so doing, or shall make any false representations relative thereto or concerning the person or persons examined or who shall use or furnish any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or to be examined, of being certified, employed, appointed, or promoted, shall for each such offense be punished by a fine not exceeding two thousand pesos, or by imprisonment for a period not exceeding one year, or both.

Any person who shall knowingly make any material false statement in his application for examination, or who shall connive at any false statement made in any certificate which may accompany his application, or who shall make any material false statement in any certificate to accompany the application for examination of any other person, or who shall personate any other person or permit or aid in any manner any other person to personate him in connection with any examination or application for examination, or who shall falsely make or forge any certificate or present any falsely made or forged certificate in connection with his application for examination, or who shall commit or attempt to commit any fraud contrary to the Civil Service Law or Civil Service Rules, or aid in so doing, shall be subject to the same penalty as in the preceding paragraph provided.

EXTRACTS FROM OTHER LAWS OF THE PHILIPPINE
LEGISLATURE RELATING TO THE
CIVIL SERVICE

Act No. 2613 enacted on February 4, 1916

SEC. 3. The Director of Agriculture is hereby authorized to appoint in any tobacco province the necessary inspectors to carry out the purposes of this Act. Said inspectors shall preferably be residents of the province where they are to serve and persons of great influence and proven knowledge in matters relating to the planting and production of tobacco shall be selected. Their salary shall be fixed in their appointments, but shall not exceed twelve hundred pesos per annum each and they shall not be subject to the Civil Service rules. Said tobacco inspectors shall receive a per diem not greater than two pesos when they are performing inspections outside of the municipality of their official station, together with actual and necessary traveling expenses.

Act No. 2870 approved on August 2, 1919

SEC. 1. Any provision of existing law to the contrary notwithstanding, the commutation of the accrued leave earned by Government officers and employees detailed for service in the United States or in some foreign country, or sent to such countries as Government students, is hereby authorized, and said leave shall be paid in cash on the date of their departure from the Philippine Islands, in addition to any other compensation or allowances which either may be entitled to receive outside of the Philippine Islands: *Provided*, That in case the person to whom accrued leave has been paid under the provisions of this Act returns to the Islands before the expiration of the leave granted, the same shall be required to return the money value of the leave not made use of outside of the Islands.

Act No. 2573 as amended by Act No. 2903 approved on March 22,
1920

SEC. 2. *

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The animal insurance agents of the insurance division shall be appointed by the Department head, upon recommendation of the Insurance Board, and shall not necessarily be subject to civil service rules.

Act No. 2935 to take effect January 1, 1921, and approved on January 15, 1921.

SEC. 18. The following rules are hereby established regarding the appropriations for the Legislature and the Departments, Bureaus, offices or dependencies of the Insular Government, and shall not be understood to be repealed by any other law unless expressly repealed:

* * * * *

10. The subordinate employees of the Department Secretaries shall not be necessarily subject to the provisions of the Civil Service Act and Rules.

* * * * *

39. With the exception of surgeons on duty in the Culion Leper Colony, no assistant surgeon or temporary physician shall be appointed at or promoted to a salary or more than twenty-four hundred pesos per annum.

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41. No officer of the Philippine Health Service regularly appointed and receiving a salary of four thousand pesos or more, shall be allowed to engage in the private practice of his profession, for compensation.

* * * * *

51. The employees appointed to the positions of division chief and legislative investigators in the legislative reference division shall not necessarily be subject to the provisions of the Civil Service Act and rules.

* * * * *

77. The provisions of section six of Act Numbered Twenty-seven hundred and twenty-eight to the contrary notwithstanding, any commercial agents hereafter appointed shall be appointed subject to the Civil Service Act and rules.

No. 2589.—An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes.

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. Whenever a regularly and permanently appointed officer or employee in the Philippine civil service who is actually in the service and who has rendered continuous, faithful, and satisfactory service for at least six years applies to the Governor-General for retirement from said service and the Governor-General shall find, after receiving the recommendation of the Director of Civil Service and the chief of the Bureau or Office concerned, that such officer or employee making the application has in every way been efficient up to and including the date of retirement, and the retirement applied for will not prejudice or obstruct

the regular and efficient operation of the Bureau affected, the Governor-General, in his discretion, may grant such retirement, and, in consideration of the services rendered, an annual gratuity for three consecutive years according to the following schedule: An officer or employee who at the time of retirement shall have rendered at least ten years of continuous service may receive an annual gratuity of thirty-three and one-third per centum of the salary last received; thirty per centum of such salary when nine but less than ten years of continuous service have been rendered; twenty-six and two-thirds per centum of such salary when eight but less than nine years of continuous service have been rendered; twenty-three and one-third per centum of such salary when seven but less than eight years of continuous service have been rendered; twenty per centum of such salary when six but less than seven years of continuous service have been rendered. The gratuities herein provided for may be paid in the Philippines or in the United States, as the retired official or employee may desire, in monthly installments, and in the event of death shall be payable to his estate: *Provided, however,* That any officer or employee entitled to the benefits of this Act, and who is entitled to any benefits from any pension fund created by authority of the Philippine Legislature, shall be required to designate which of such benefits he desires to take advantage of, and in such case he shall be entitled only to the benefits so chosen: *And provided further,* That if he elects the benefits of this Act he shall have refunded to him amounts deducted from his salary for the benefit of any other retirement fund: *And provided further,* That the following officers and employees shall not be entitled to the benefits of this Act: Officers and employees whose full time is not given to the Government service; professional officers or employees who practice their profession for profit; officers and employees detailed from the Army and Navy or civil service of the United States; and persons now receiving a pension or retirement pay from the Government of the United States.

SEC. 2. Vacancies occurring in the service, as a result of retirements according to the provisions of the next preceding section, shall not be filled, and the positions corresponding thereto shall be considered abolished *ipso facto*, except when such position is that of Chief Justice or Associate Justice of the Supreme Court or a judge of First Instance, chief or assistant chief of Bureau, chief clerk, or chief of division: *Provided, however,* That upon the request of the chief of a Bureau or Office affected, based on the exigencies of the service and favorably recommended by the proper head of Department, the Governor-General may authorize, in his discretion, after hearing by the Emergency Board created by section two of Act Numbered Twenty-five hundred and forty, in lieu of the position or positions abolished, such position or positions as may be deemed necessary but the aggregate of the salaries thus

assigned to such positions shall not exceed two-thirds of the salary authorized by law for the positions abolished by reason of retirement. The vacancies of Chief Justice or Associate Justice of the Supreme Court or judge of First Instance, chief or assistant chief of Bureau, chief clerk, or chief of division, occasioned by retirement, may again be filled, but, unless the law provides otherwise, the salary of the new officers or employees shall be understood to have been reduced to two-thirds of the salary received by the officer or employee retired at the time of his retirement, but in the case of the Chief Justice or Associate Justice of the Supreme Court or of a judge of First Instance the salary of the vacant position shall not be reduced because of the operation of this Act: *Provided, however,* That in no case shall the salary assigned to a director, assistant director, chief clerk, or chief of division be less than that appropriated for the assistant director, chief clerk, assistant chief clerk, or assistant chief of division, respectively, but in such case the chief of Bureau shall make such reductions in the expenses of the Bureau as may be necessary to carry into effect the provisions of this proviso without the necessity of an additional appropriation.

SEC. 3. Future reductions in salaries of officers and employees of the Government of the Philippine Islands, if such reductions are agreed upon, as well as any provision of law abolishing the positions of officers or employees, or reducing or abolishing accrued leave, shall in no manner affect officers or employees who have retired or are entitled to such retirement under section six of this Act, who shall continue, during the time provided in section one of this Act, to receive their gratuities the same as if their positions had not been reduced in salary or abolished, in addition to the accrued leave authorized at the time of their application for retirement: *Provided, however,* That excepting by reason of legislative action reducing his salary or accrued leave allowances, if any officer or employee entitled to retirement under the provisions of this Act shall apply therefor and, after being advised that his services are necessary, insist upon the acceptance of his resignation, he shall not in such case be entitled to the retirement gratuity herein provided.

SEC. 4. Such sums as may be necessary to carry into effect the provisions of this Act are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated: *Provided, however,* That no fund shall be set up in the books of the Auditor by virtue of this Act until the sum necessary for the current year shall have been determined.

SEC. 5. No person retired under the provisions of this Act shall be reappointed or reemployed under the Government of the Philippine Islands until he shall have first refunded the entire amount of his retirement gratuities, and in case of reappointment or reemployment under this

condition his salary for a period of at least three years thereafter shall not exceed the salary at the time of retirement; and by accepting such reappointment or reemployment and refunding the gratuities paid him he shall waive all future claim to the provisions of this Act and to the payment of such gratuities as were refunded when he again shall retire or resign.

SEC. 6. This Act shall take effect immediately and the provisions hereof shall apply only to such officials and employees as may request retirement on or before the thirtieth day of June, nineteen hundred and sixteen: *Provided, however, That*, should an application for retirement be presented to the Governor-General prior to July first, nineteen hundred and sixteen, and such application not be granted on account of exigencies of the service, the retirement applied for may be granted by the Governor-General at such future date as in his opinion the requirements of the service may warrant, and for this purpose he may make such administrative orders with reference to the appropriation for the position to be vacated as may be necessary to accomplish the purposes of this Act.

Enacted, February 4, 1916.

No. 2796.—An Act designating a new time limit for the filing of applications for retirement under Act Numbered Twenty-five hundred and eighty-nine, commonly known as the Retirement Law for public officers and employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of same:

SECTION 1. For the benefit of the officers or employees at present in the service of the Government of the Philippine Islands, the time limit for the filing of applications for retirement gratuities under Act Numbered Twenty-five hundred and eighty-nine, entitled "An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes," is hereby extended until June thirtieth, nineteen hundred and nineteen. The years of continuous, faithful, and satisfactory service rendered by the applicant, as provided by said Act Numbered Twenty-five hundred and eighty-nine, shall, for the purposes of this Act, be computed until the date on which the applicant files his application within the new time limit, or until said June thirtieth, nineteen hundred and nineteen, but not thereafter.

SEC. 2. For the proper construction of this Act as well as of Act Numbered Twenty-five hundred and eighty-nine, it is hereby established that leave without pay taken by any officer or employee for reasons beyond his control shall

not be deemed excluded from the computation of the period of continuous, faithful, and satisfactory service required by said Act Numbered Twenty-five hundred and eighty-nine.

SEC. 3. This Act shall take effect on its approval.

Approved, February 20, 1919.

No. 2891.—An Act to amend section one of Act Numbered Twenty-seven hundred and ninety-six, designating a new time limit for the filing of applications for retirement, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section one of Act Numbered Twenty-seven hundred and ninety-six is hereby amended to read as follows:

"SECTION 1. For the benefit of the officers or employees at present in the service of the Government of the Philippine Islands, the time limit for the filing of applications for retirement gratuities under Act Numbered Twenty-five hundred and eighty-nine, entitled 'An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes,' is hereby extended until June thirtieth, nineteen hundred and twenty. The years of continuous, faithful and satisfactory service rendered by the applicant, as provided by said Act Numbered Twenty-five hundred and eighty-nine shall, for the purposes of this act, be computed until the date on which the applicant files his application within the new time limit, or until said June thirtieth, nineteen hundred and twenty, but not thereafter."

SEC. 2. This Act shall take effect on its approval.

Approved, February 24, 1920.

No. 2668.—An Act fixing the salaries of certain officers and employees of the Government of the Philippine Islands.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The salaries of the officers and employees of the Philippine Government mentioned in this Act shall hereafter be as follows:

(a) The President of the Senate, twelve thousand pesos per annum. Each Senator, except the President, shall receive compensation at the rate of four thousand pesos per annum, which may be drawn during the corresponding regular session of the Legislature. The Secretary of the Senate, three thousand pesos for each regular session of

the Legislature: *Provided however*, That in case the Senate shall direct him to render service outside of such session, it may grant him additional compensation.

(b) The Speaker of the House of Representatives, twelve thousand pesos per annum. Each representative, except the Speaker, shall receive compensation at the rate of three thousand pesos per annum, which may be drawn during the corresponding regular session of the Legislature. The Secretary of the House of Representatives, three thousand pesos for each regular session of the Legislature: *Provided, however*, That in case the House of Representatives shall direct him to render service outside of such session, it may grant him additional compensation.

(c) Each Department Secretary, except the Secretary of Public Instruction, twelve thousand pesos per annum. Each Department Under Secretary, seven thousand five hundred pesos per annum.

(d) The Secretary of the Governor-General, who shall hereafter be known as the Private Secretary for the Governor-General, seven thousand five hundred pesos per annum.

(e) The Director of Civil Service, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(f) The Director of the Bureau of Non-Christian Tribes, six thousand pesos per annum.

(g) The Chief of the Executive Bureau, seven thousand two hundred pesos per annum. The Assistant Chief, six thousand pesos per annum.

(h) The Chief of the Philippine Constabulary, seven thousand two hundred pesos per annum. Each colonel, six thousand pesos per annum. Each lieutenant-colonel, four thousand eight hundred pesos per annum. Each major, three thousand six hundred pesos per annum. Each captain, three thousand pesos per annum. Each first lieutenant, two thousand four hundred pesos per annum. Each second lieutenant, two thousand pesos per annum. Each third lieutenant, eighteen hundred pesos per annum.

(i) The Director of Education, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(j) The Director of Health, seven thousand two hundred pesos per annum. Each chief of division, six thousand pesos per annum. The salaries of the other surgeons in the Health Service shall be as follows: Each chief medical inspector, not chief of a division, not more than four thousand pesos per annum. Each medical inspector, not more than three thousand pesos per annum. Each senior surgeon, not more than two thousand four hundred pesos per annum. And each surgeon, not more than one thousand eight hundred pesos per annum.

(k) The Insular Collector of Customs, seven thousand two hundred pesos per annum. The Insular Deputy Collector

of Customs, six thousand pesos per annum. The collector of customs of Iloilo, six thousand pesos per annum. The collector of customs of Cebu, six thousand pesos per annum. The collector of customs of Zamboanga, five thousand pesos per annum. The collector of customs of Jolo, five thousand pesos per annum.

(l) The Collector of Internal Revenue, seven thousand two hundred pesos per annum. The Deputy Collector of Internal Revenue, six thousand pesos per annum.

(m) The Treasurer of the Philippine Islands, seven thousand two hundred pesos per annum. The Assistant Treasurer of the Philippine Islands, six thousand pesos per annum.

(n) The Director of Printing, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(o) The Solicitor-General, seven thousand two hundred pesos per annum.

(p) Each judge of a Court of First Instance, except the judges of the First, Second, Eighth, Tenth, Sixteenth, Eighteenth, and Twenty-fourth Districts, and the auxiliary judges, eight thousand pesos per annum. The judges of the First, Second, Eighth, Tenth, Sixteenth, Eighteenth, and Twenty-fourth Districts, and the auxiliary judges, seven thousand pesos per annum each. The clerk of the Supreme Court, five thousand pesos per annum.

Amended by
Act No. 3107.

(q) The Director of the Library and Museum, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(r) The Director of Prisons, five thousand pesos per annum, with quarters and laundry. The Assistant Director, four thousand pesos per annum, with quarters and laundry.

(s) The Director of Agriculture, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(t) The Director of Forestry, six thousand pesos per annum.

(u) The Director of Lands, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(v) The Director of the Bureau of Science, six thousand pesos per annum.

(x) The Director of the Weather Bureau, five thousand pesos per annum.

(y) The Director of Public Works, seven thousand two hundred pesos per annum. The chief constructing engineer, six thousand pesos per annum. The chief designing engineer, six thousand pesos per annum. The consulting architect, six thousand pesos per annum.

(z) The Director of Posts, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(aa) The Purchasing Agent, seven thousand two hundred pesos per annum. The Assistant Purchasing Agent, six thousand pesos per annum.

(bb) The Director of Labor, five thousand pesos per annum. The Assistant Director, four thousand pesos per annum.

(cc) The Director of Coast Survey, ten pesos per diem.

SEC. 2. Officers and employees whose salaries are reduced hereunder and who, having taken advantage of the benefits of Act Numbered Twenty-five hundred and eighty-nine, entitled "An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes," have obtained or may hereafter obtain a favorable action upon their application, shall be retired with the salary received by them on December thirty-first, nineteen hundred and sixteen, and the vacancies left by them shall be filled in accordance with the provisions of this Act.

SEC. 3. The provisions of this Act shall not be construed to prohibit the Governor-General or the Secretary of the Department concerned from contracting, for a limited period, for the services of such technical personnel as may be actually and strictly necessary, at salaries which may exceed those authorized in this Act for chiefs of bureaus and which shall have been previously specifically fixed by the appropriation acts.

SEC. 4. The first two paragraphs of section seven hundred and seventy-five, the entire section seven hundred and seventy-six, and the first paragraph of section one thousand and sixty-one of the Administrative Code, and all Acts or parts of Acts inconsistent with this Act, are hereby repealed.

SEC. 5. This Act shall take effect on January first, nineteen hundred and seventeen; but the provisions relative to the members of the two Houses of the Legislature and to the Department Secretaries and Under Secretaries shall take effect beginning with the day of their election or appointment, as the case may be: *Provided, however,* That save in the case of vacancies, the Department Secretaries, acting jointly, are hereby authorized to postpone until a date not later than December thirty-first, nineteen hundred and eighteen, any provision of this Act affecting any position or employment in the bureaus and offices under their authority and control, provided such action is really required by the interest of the service; and in such case said Department Secretaries, acting jointly, shall take the necessary steps for the purpose of effecting a gradual and slow reduction of the salaries, distributing the difference between the present salaries and the salaries fixed by this Act over one or more items, as said Secretaries shall deem most advisable.

Approved, December 14, 1916.

No. 3050.—An Act to provide annual pensions for teachers employed in the Philippine public schools; to appropriate money and regulate the disbursement thereof.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Beginning on the first day of April next following the date of the approval of this Act, all teachers, principals, supervisors, inspectors, superintendents, and other persons employed in supervising and directing the school work of teachers in the public school service of municipalities, provinces, and the Insular government of the Philippine Islands, whose positions are not classified as purely clerical, without regard as to status in the classified civil service of the Philippine Islands, who have on that day, or who shall have on any date thereafter, rendered at least twenty years of service as computed in section seven of this Act, shall be eligible for retirement on an annuity as provided in section two hereof: *Provided*, That lecturers and other special instructors who rendered provisional service shall not be eligible for pension nor shall such services be counted as teaching service in computing the length of service of a teacher: *Provided, further*, That the provisions of this Act shall not include persons who are not citizens of the Philippine Islands or of the United States of America.

SEC. 2. For the purpose of determining the amount of annuity which a retired employee shall receive the following classification and rates shall be established upon the basis of the annuity consisting of a fractional part of the average pay, salary or compensation, for the three years of service rendered prior to the granting of the pension with maximum average pay, salary or compensation in no case exceeding four thousand pesos per annum. The annual annuity as computed under this Act shall be four-tenths of the average salary for twenty years of service; five-tenths of the average salary for twenty-three years of service; six-tenths of the average salary for twenty-six years of service; seven-tenths of the average salary for twenty-nine years of service; eight-tenths of the average salary for thirty-two or more years of service.

SEC. 3. All eligible persons shall be automatically insured and shall upon their own volition apply for the pension status under the provisions of this Act, advising the Director of Education of their intention to retire with pension at least three months prior to the effective date, and shall render service until the close of a school year unless retired at the expiration of such accrued leave of absence with pay as entitled to, or for reasons of unfitness for service: *Provided*, That the Director of Education may require continued service until the retiring employee can be relieved by a competent person, making the effective date of retirement not later than six months after the date requested.

SEC. 4. An employee to whom this Act applies who has rendered not less than fifteen years of service as computed in this Act, and who becomes totally disabled for useful and efficient service regardless of the age of the employee upon his own application approved by the Director of Education or upon the request of the Director of Education, may be retired for unfitness for service due to total physical or mental disability, on an annuity of two-tenths of his computed average salary under the provisions of this Act if the disability has not been due to vicious habits, intemperance or wilful misconduct of the employee: *Provided*, That the unfitness shall be certified to by both the Director of Education and a government health officer, and the person so retired shall present himself personally during the months of January and July of each calendar year to a public health officer during the period he receives a pension for unfitness for service to determine his fitness to return to the service and to cease receiving the pension benefit. Pension for unfitness for service shall not be granted for a longer period than ten years and shall cease when the employee returns to the service or neglects to return to the service when requested to do so, or engages in another gainful occupation with compensation equal to the amount of pension. In all cases where the annuity is discontinued by causes other than death or the return of the employee to the service before the annuitant has received a sum equal to the total amount of his or her contributions with accrued interest, the difference shall be paid to the retired employee, upon application therefor in such form and manner as the "Pension and Investment Board" may direct.

SEC. 5. Upon death of employee entitled to the provisions of this Act who is rendering service at time of death or who is retired on pension, he shall have fifty per cent of the pension to which the employee would be entitled if alive, paid to surviving acknowledged children of his or her issue for a period of not to exceed ten years, or to the surviving lawful husband or wife if there are no children eligible under the provisions of this Act to receive the same: *Provided*, That pension funds shall not be paid to children over eighteen years of age or to married children, or to a remarried surviving wife or husband.

SEC. 6. All employees eligible for the provisions of this Act shall receive full credit for service rendered in the Philippine public school system prior to the date this Act shall become operative, and the date of the first day of service shall be the date when such service first began and continuity of service shall not be required in computing the length of service except for the last three years prior to the granting of the pension.

SEC. 7. In computing the length of service for the purposes of this Act all periods of separation from the service and so much of any leave as is without pay, except regular

school vacation periods for classroom teachers with temporary civil service status, shall be excluded.

SEC. 8. Beginning on the first day of the fiscal year following the approval on this Act and annually thereafter there shall be included in the total sums appropriated for pay or compensation of employees to whom this Act applies a sum equal to three per centum of the total sum for pay or compensation made by Insular, provincial, or municipal legislation, and the said sum shall be transferred on the books of the Insular Treasurer to the credit of a special fund to be known as the "Teachers' Retirement and Disability Fund," and said fund is hereby appropriated for the payment of annuities, allowances, and expenses as provided in this Act, and for investment by the "Pension and Investment Board" created in section twelve of this Act. The "Pension and Investment Board" is hereby directed to invest from time to time in interest-bearing securities of the government of the Philippine Islands or of the United States of America such portion of the fund as cannot be immediately required for the payment of annuities and other expenses incident to carrying on the provisions of this Act.

SEC. 9. The Insular Treasurer is hereby authorized and empowered in carrying out the provisions of this Act to supplement the direct government contribution with moneys resulting from fines, leaves of absence without pay, unfilled positions, and other salary savings for positions the holders of which are or will be entitled to the provisions of this Act, and with donations, gifts, legacies, or bequeathes of individuals, corporations, or organizations.

SEC. 10. Beginning on the first day of the third month next following the approval of this Act and monthly thereafter there shall be deducted and withheld from each monthly basic salary, pay or compensation of each employee to whom this Act applies a sum equal to three per centum of such employee's monthly basic salary, pay or compensation. The Insular Treasurer shall cause the said deductions to be withheld from all specific appropriations for the particular salaries or compensations from which the deductions are made and from all allotments out of lump sum appropriations for payment of such salaries or compensations for each fiscal year, and said sums shall be transferred on the books of the Insular Treasurer to the credit of the "Teachers Pension and Disability Fund" created in this Act.

SEC. 11. In the case of an employee to whom this Act applies becoming absolutely separated from the service by death or otherwise before becoming eligible for retirement on an annuity the total amount of deductions of salary, pay, or compensation, with accrued interest computed at four per cent per annum, and compounded on June thirtieth of each fiscal year, shall, upon application, be returned to such employee or his heirs in one lump sum: *Provided*, That in case of death, if there has been no demand upon the Director of

Education or the Insular Treasurer by a duly appointed executor or administrator, the payment shall be made after the expiration of three months from date of death, to such person or persons as may appear to be entitled to the proceeds of the estate and such payment may be a bar to recovery by another person.

SEC. 12. There is hereby constituted for the enforcement of this Act a "Pension and Investment Board," composed of the Secretary of Public Instruction, who shall be chairman, ex-officio, the Director of Education, the Insular Treasurer, the Insular Auditor, and three persons appointed by the Governor-General, two of whom shall be persons entitled to the benefits of this Act. The "Pension and Investment Board" shall during the month of July of each fiscal year submit to the Governor-General a report of operations under the provisions of this Act and shall recommend to the Governor-General for including in the Insular budget for the fiscal year to follow, a sum sufficient to pay the retirement allowances and other expenses for that fiscal year whenever the funds made available by the operation of sections eight, nine, and ten of this Act are insufficient.

SEC. 13. All pensions shall be paid in quarterly instalments on January first, April first, July first, and October first of every fiscal year by government warrant or other means which will guarantee safe delivery with no reduction in the pension for exchange or for transmitting the same.

Persons receiving lifelong annual pensions from the Philippine Government or from any branch of the United States Federal Government shall have the amount of the same deducted from the pension they receive through the operation of this Act. Persons reemployed in the Government service and receiving salary, pay or compensation for services rendered as an employee of any branch of the Government of these Islands, including municipalities and provinces in the Philippines shall have the pension discontinued for such periods of employment in each case where the pay, salary or compensation is equal to or greater than fifty per centum of the pension received under the provisions of this Act.

All records of manipulations of the "Teachers Pension and Disability Fund" and disbursements from the same and all accounts of payments made out of said fund shall be kept and made by the Director of Education, under the supervision of the "Pension and Investment Board."

The term "basic salary, pay or compensation" whenever used in this Act shall be so construed as to exclude from the operation of this Act the provisions of Act Numbered Twenty-five hundred and eighty-nine, all bonus, allowances, overtime pay, or other compensation given in addition to the basic pay or other compensation of the position as fixed by law or regulation.

SEC. 14. All eligibles who have attained the age of sixty-five years or who shall attain that age, and who have ren-

dered eighteen years or more of service as computed under the provisions of this Act shall have the retirement made compulsory at the age of sixty-five except when the teacher requests to remain in the service and the Director of Education specifically recommends favorable action.

SEC. 15. All acts and parts of acts inconsistent with this Act are hereby repealed.

SEC. 16. This Act shall take effect on its approval.

Approved, March 10, 1922.

No. 3100.—An Act to amend certain sections of Act Numbered Three thousand and fifty, entitled "An Act to provide annual pensions for teachers employed in the Philippine public schools; to appropriate money and regulate the disbursement thereof."

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section one of Act Numbered Three thousand and fifty is hereby amended to read as follows:

"SECTION 1. Beginning on the first day of April next following the date of the approval of this Act, all teachers, principals, supervisors, inspectors, superintendents, and other persons employed in supervising and directing the school work of teachers in the public school service of municipalities, provinces, and the Insular Government of the Philippine Islands, whose positions are not classified as purely clerical, without regard as to status in the classified civil service of the Philippine Islands, who have on that day, or who shall have on any date thereafter, rendered at least twenty years of service as computed in section seven of this Act, and who have not been removed from the service for cause, shall be eligible for retirement on an annuity as provided in section two hereof: *Provided*, That teachers, principals, supervisors, inspectors, and superintendents detailed or serving in the Department of Public Instruction and engaged principally in the inspection and supervision of private schools, in accordance with Act Numbered Twenty-seven hundred and six, shall also be entitled to a pension under the terms and conditions herein established: *Provided*, *further*, That lecturers and other special instructors who render provisional service shall not be eligible for pension nor shall such services be counted as teaching service in computing the length of service of a teacher: *And provided*, *finally*, That the provisions of this Act shall not include persons who are not citizens of the Philippine Islands or of the United States of America."

SEC. 2. Section five of Act Numbered Three thousand and fifty is hereby amended to read as follows:

"SEC. 5. Upon death of an employee entitled to the provision of this Act who is rendering service at time of death

or who is retired on pension, he shall have fifty per cent of the pension to which the employee would be entitled if alive, paid to surviving acknowledged children of his or her issue for a period of not to exceed ten years, or to the surviving lawful husband or wife if there are no children eligible under the provisions of this Act to receive the same, or to his or her surviving parents, father or mother, if there are no children or lawful husband or wife eligible under the provisions of this Act to receive the benefits thereof: *Provided*, That pension funds shall not be paid to children over eighteen years of age or to married children, or to a remarried surviving wife or husband, nor to parents under the age of sixty years."

SEC. 3. Section eight of Act Numbered Three thousand and fifty is hereby amended to read as follows:

SEC. 8. Beginning on the first day of the fiscal year following the approval of this Act and annually thereafter there shall be included in the total sums appropriated for pay or compensation of employees to whom this Act applies a sum equal to three per centum of the total sum for pay or compensation made by Insular, provincial, or municipal legislation, and the said sum shall be transferred on the books of the Insular Treasurer to the credit of a special fund to be known as the 'Teachers Retirement and Disability Fund,' and said fund is hereby appropriated for the payment of annuities, allowances, and expenses as provided in this Act, and for investment by the 'Pension and Investment Board' created in section twelve of this Act. The 'Pension and Investment Board' is hereby directed to invest from time to time such portions of the 'Teachers' Pension and Disability Fund' as shall not be required to meet the current payments, in the form of annuities or otherwise, and expenses, incident to the carrying on of the provisions of this Act, in any or all of the following ways and in no others:

"(a) In interest-bearing bonds or securities of the Government of the United States or of the Philippine Islands, or bonds or securities of said countries for the payment of the interest and principal of which the faith and credit of said countries is pledged.

"(b) In interest-bearing deposits, under security approved by the Board, in any bank doing business in the United States or in the Philippine Islands having an unimpaired paid-up capital and surplus equivalent to one million five hundred thousand pesos or over: *Provided*, That said bank shall first have been designated as a depository for this purpose by the Governor-General, upon the recommendation of the Insular Treasurer.

"(c) In first liens upon improved, productive, and unencumbered real estate in the City of Manila with a title duly registered under Act Numbered Four hundred and ninety-six, as amended: *Provided*, That no loan shall be

made upon the security of real estate in excess of fifty per centum of the fair appraised value thereof, to be determined in such manner as the Board shall prescribe, subject to the rule that the durable income from such real estate shall constitute the main factor in the determination of value: *And provided, further,* That no loan shall be made for a period exceeding three years, and that not more than thirty per centum of the total investments made by the Board shall be on the security of real estate.

"The Board shall have the right to foreclose any loan in the event of any material depreciation of the value of the security or if the terms of the loan contract are not complied with. It shall also make proper provision for the insurance of all property, subject to damage by fire, which shall be held by it as security. The Board shall also have the right to hold, for a period not exceeding five years, such real estate as may come into its possession on account of money loaned.

"(d) In commuting installment payments due from the Government of the Philippine Islands to individuals upon the proper assignment of the individual's claim to the Board.

"(e) No loan shall be made by the Board from the 'Teachers' Pension and Disability Fund,' directly or indirectly, to any member of said Board, and any member of said Board receiving such a loan or authorizing or making any such loan shall be guilty of a felony and be punished by imprisonment for not less than five years or by a fine of not less than two thousand nor more than twenty thousand pesos, or both, in the discretion of the Court.

"(f) Whenever the current surplus of the 'Teachers' Pension and Disability Fund' shall fall below the amount of fifty thousand pesos, no new real-estate loan shall be made by the Board.

"(g) The Board is authorized, in making investments pursuant to this section, to fix the terms thereof in such a way as shall preserve the funds from any loss due to depression in the medium of payment and to take any other precautions which in its judgment are deemed necessary for the adequate conservation of said Pension Fund."

SEC. 4. Section twelve of Act Numbered Three thousand and fifty is hereby amended to read as follows:

"SEC. 12. There is hereby constituted for the enforcement of this Act a 'Pension and Investment Board' composed of the Secretary of Public Instruction, who shall be chairman, ex-officio, the Director of Education, the Insular Treasurer, the Insular Auditor, and the Director of Civil Service, none of whom shall receive additional compensation, and of three other persons appointed by the Governor-General, with the advice and consent of the Senate. Said three persons shall not receive any compensation. The 'Pension and Investment Board' shall during the month of July of each fiscal

year submit to the Governor-General a report of operations under the provisions of this Act and shall recommend to the Governor-General for including in the Insular budget for the fiscal year to follow, a sum sufficient to pay the retirement allowances and other expenses for that fiscal year whenever the funds made available by the operation of sections eight, nine, and ten of this Act are insufficient."

SEC. 5. This Act shall take effect on its approval.

Approved, March 16, 1923.

CIVIL SERVICE RULES

THE GOVERNMENT OF THE PHILIPPINE ISLANDS EXECUTIVE BUREAU

MANILA, P. I., January 9, 1909

EXECUTIVE ORDER }
No. 5 }

In the exercise of power conferred by the Act of Congress of July first, nineteen hundred and two, known as the "Philippine Bill," and by Act Numbered Sixteen hundred and ninety-eight of the Philippine Commission, known as the "Revised Civil Service Act," the Governor-General hereby approves and promulgates the following Civil Service Rules prepared and certified by the Director of Civil Service, in lieu of the Civil Service Rules promulgated September first, nineteen hundred and four, and amendments thereof:

RULE I.—*General provisions and definition of terms*

1. The Director of Civil Service shall have authority to prescribe such regulations in pursuance of and in execution of these rules as are not inconsistent therewith, and shall prescribe blank forms for all applications, examinations, certifications, reports, records, and returns received under these rules and the regulations made in pursuance thereof.

2. Except as provided therein, the first twelve rules apply to the classified service only; the remaining rules have a general application to both the classified and the unclassified service.

3. The several terms hereinafter mentioned, wherever used in these rules, shall be construed as follows:

(a) The term "Director" refers to the Director of Civil Service.

(b) The term "grade" refers to a number of positions or employees arranged in a group upon the basis of the duties performed, without regard to the salaries received.

(c) The term "class" refers to a number of positions or employees arranged in a group upon the basis of the salaries received, without regard to the duties performed.

(d) Whenever the term "officers" is used it shall be understood to refer to civil officers employed in, or military officers detailed to, the Philippine civil service.

(e) The term "classified service" includes all positions in the Philippine civil service not exempted from examination requirements by the Revised Civil Service Act.

(f) All printed "forms" mentioned in these rules refer to forms of the Bureau of Civil Service.

Promulgating
order.

Regulations.

Forms.

Application
of
rules.

Definition
of
terms.

RULE II.—*Applications for examination*

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| Citizenship. | 1. No applicant shall be admitted to examination who has not taken the oath of allegiance to the United States and who is not a citizen of the United States, a native of the Philippine Islands, an honorably discharged soldier, sailor, or marine of the United States, or a person who has under and by virtue of the treaty of Paris acquired the political rights of natives of the Islands, except that the requirement of citizenship may be waived by the Governor-General as provided by law. |
| Information to be furnished. | 2. All applicants for examination and persons now in the service must furnish full information as to their citizenship, nativity, age, education, physical qualifications, and such other information as may reasonably be required affecting their fitness for the service. |
| Physical examination. | 3. No applicant shall be admitted to examination or be appointed in the United States to this service originally, by reinstatement, or by transfer, until he has been thoroughly examined by a competent physician and found to be physically qualified for efficient service in the Philippine Islands. A physical examination may, in the discretion of the Director, be required of applicants for examination in the Philippine Islands. |
| Loyalty. | 4. No applicant shall be admitted to examination in the Philippine Islands until he has furnished evidence satisfactory to the Director of his loyalty to the supreme authority of the United States of America in these Islands. |
| Enlisted men. | 5. No application for examination shall be accepted from any person serving in the Army, the Navy, or the Marine Corps of the United States unless written consent of the proper authority under whom such person is serving is filed with his application. |
| Age limits. | 6. No application for examination for entrance into the classified service shall be accepted from any applicant who is under eighteen or over forty years of age: <i>Provided</i> , That in the interest of good administration, the Director, with the concurrence of the Governor-General or proper head of Department, may by regulation determine the age limitations within the maximum and minimum limits herein specified, and confine competition for such positions to persons who meet the requirements as to age: <i>And provided further</i> , That whenever in the discretion of the Director the needs of the service require it, the age limitations named herein may be extended for any particular kind of examination. |
| Disqualifications and debarment. | 7. The Director may, in his discretion, refuse to examine an applicant, or to certify or attest an appointment of an eligible, who is physically unfitted for the performance of the duties of the position to which he seeks appointment; or who has been guilty of a crime, or of infamous, notoriously disgraceful, or immoral conduct, drunkenness, or dishonesty; or who has been dismissed, from the service for other delinquency or misconduct; or who has intentionally made a false statement in any material fact, or practiced or attempted to |

practice any deception or fraud in securing his examination, registration, or appointment. Any of the foregoing disqualifications shall be good cause for the removal of the person from the service after his appointment.

RULE III.—*Examinations*

1. Examinations of a suitable and practical character, absolutely impartial, and involving such subjects and tests, including experience, as the Director may determine, shall be held to ascertain the relative capacity and fitness of applicants for the positions to which they seek to be appointed. Character of examinations.

2. Whenever the Director shall find, after consultation with the head of the proper Department, Bureau, or Office, that a knowledge of both the Spanish and the English languages is essential to an efficient discharge of the duties of a position to be filled, he shall test English-speaking applicants as to their knowledge of the Spanish language, and Spanish-speaking applicants as to their knowledge of the English language. Examinations in English and Spanish.

3. No person shall be appointed to, or employed in, any classified position unless he shall have passed the examination provided therefor, or unless he is specially exempt from such examination by the provisions of the Revised Civil Service Act and rules. Examinations prerequisite to appointment.

4. No noncompetitive examination shall be held except: Noncompetitive examinations.

(a) When applicants fail to compete after due notice has been given of an open competitive examination, or when in the opinion of the Director the announcing of a competitive examination would not result in securing competitors.

(b) To test fitness for promotion, reinstatement, or transfer.

5. Examinations in the Philippine Islands shall be held in Manila and in the provinces upon such dates as the Director may deem best for the interests of the service and the convenience of applicants, and examinations in the United States will be held under the auspices of the United States Civil Service Commission at the request of the Director: Places of examination.

Provided, That when there are names on the proper eligible register of the Bureau of Civil Service no appointment shall be made to a position in the classified civil service of a person residing outside the Philippine Islands unless after comment by the appointing officer and the Director the Governor-General shall decide that the eligibles do not possess the technical knowledge and training or other qualifications or requirements necessary for the position sought to be filled or that the best interests of the service require the appointment of a nonresident. Preference for residents of the Islands (amendment contained in Executive Order No. 21, dated February 18, 1914).

6. The Director may appoint with the approval of the Governor-General or proper head of Department such examining committees or special examiners as he may deem necessary from officers and employees in the Philippine civil service. The members of examining committees and special examiners so appointed are examiners of the Bureau of Civil Service, and shall perform such duties as the Director Examining committees and special examiners.

may require in connection with examinations, investigations, appointments, and promotions, and in the performance of such duties they shall be under his direct and sole control and authority. The duties performed by members of examining committees and special examiners shall be considered part of the duties of the office in which they are serving, and time shall be allowed for the performance of such duties during the office hours of said office.

Use of public buildings.

7. All officers of the Philippine civil service shall facilitate the holding of civil-service examinations, and officers having the custody of public buildings at places where such examinations are to be held shall, for this purpose, permit and arrange for the use of suitable rooms under their charge and for furnishing and lighting the same when required.

RULE IV.—*Rating of papers and eligibility*

Rating of examination papers.

1. Examination papers shall be rated according to their excellence on a scale of one hundred and the subjects of each examination shall be given such relative weights as the Director shall prescribe. After a competitor's papers have been rated he shall be duly notified of the result thereof by the Director or by the head of his Bureau or Office at the request of the Director.

Eligibility for appointment.

2. Every competitor who attains a general rating of seventy or over shall be eligible to appointment, subject to the provisions of these rules, to the position for which he was examined, and the names of eligibles shall be entered in the order of their general ratings, without regard to the date of examination, on the proper register of eligibles.

Period of eligibility.

3. The period of eligibility shall be one year from the date on which the name of the eligible is entered on the register, but this period may be extended for a particular kind of examination if, in the discretion of the Director, the needs of the service warrant it: *Provided*, That in case an eligible shall be mustered into the military or naval service of the United States at a time when the United States is engaged in war or in suppressing an insurrection, his period of eligibility shall, under such conditions as the Director may prescribe, be considered as suspended during the time he is serving in the Army or Navy of the United States: *And provided further*, That the eligibility to appointment of any person resulting from examinations held only in the Philippine Islands shall be suspended during the absence of such person from the Philippine Islands.

RULE V.—*Certifications*

Filling of vacancies.

A vacancy in a classified position, if not filled by promotion, reduction, transfer, or reinstatement, or through non-competitive examination, shall be filled under the following provisions:

Requisition for certification (form 9).

1. The appointing officer shall make requisition upon the proper form, for the names of eligibles for the position vacant, specifying the duties of the position, and the Director shall certify to said officer from the proper register

the three names at the head thereof which have not been three times certified to the Bureau or Office in which the vacancy exists: *Provided*, That certification for temporary appointment shall not be counted as one of the three certifications to which an eligible is entitled: *And provided further*, That whenever the request for certification, or any law, rule, or regulation shall call for persons of one sex, those of that sex shall be certified; otherwise sex shall be disregarded in certification.

2. The appointing officer shall select one of the three names certified, and if at the time of selection there are more vacancies than one, he may select more than one name: *Provided*, That if an appointing officer shall object to an eligible certified, stating that because of disloyalty, physical defect, mental unsoundness, or moral or other disqualification particularly specified in section seven of Rule II, such eligible would be unsuitable for the position to be filled, and if said officer shall support such objections with evidence satisfactory to the Director, certification shall be made of the eligible on the register whose rating is next below those already certified in place of the one to whom objection is made and sustained.

Selections.

3. In making selections from certifications of eligibles by the Director, appointing officers shall, when other qualifications are equal, prefer:

Preference in selection.

First. Natives of the Philippine Islands.

Second. Honorably discharged soldiers, sailors, and mariners of the United States.

4. The Director, whenever practicable, shall forward to the appointing officer in connection with each certification the applications and examination papers of the persons certified, and said officer may summon personally before him the eligibles certified and make such inquiries of them as he may think proper. The papers forwarded by the Director to the appointing officer for his information shall be returned to the Director with notice of selection on the proper form.

Examination papers with certifications.

5. ¹ Whenever a person residing in the Philippine Islands or in the United States is selected for appointment to the classified civil service, the appointing officer shall notify the Director and the Director shall notify the appointee. Upon his reporting for duty, the appointing officer shall immediately forward to the Director probationary appointment on Form Numbered Thirty-Three; such appointment is not to be made effective prior to the date upon which the appointee actually enters upon the performance of his duties. If the eligible was provisionally appointed in the United States, his probational appointment will be effective the day following the date of his actual landing in the Philippine Islands, provided he reports immediately at the office of the Bureau of Civil Service, and leave shall not accrue prior to the date

Notice of selection (form 18).

Notification of selection for appointment.

Effective date of appointments.

¹ As amended by Executive Order No. 15 dated April 10, 1922.

- of such probational appointment. At the expiration of the probationary period of six months, if his conduct and capacity are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute appointment; but if his conduct and capacity be not satisfactory, he may at any time during or at the expiration of his probationary period be notified by the appointing officer that he will not receive absolute appointment because of such unsatisfactory conduct or want of capacity, and such notification, without other formality, shall discharge him from the service. *In the case of teachers it is provided, that the Director may, for cause shown in certain specific instances and at the request of the Director of Education, extend the probationary period for an additional four months.* Full report of the cause of the discharge shall be made to the Director. A probationer may be reduced in class or grade at any time during or at the expiration of his probationary period by a notification of reduction from the appointing officer without other formality; in such case the appointing officer shall immediately forward to the Director new appointment on the prescribed form accompanied by a full statement of the cause of the reduction. The name of a probationer who has been separated from the service without delinquency or misconduct may be restored to the register of eligibles, in the discretion of the Director, for the remainder of his period of eligibility.
6. For reasons satisfactory to the Director an eligible may waive certification or decline appointment without losing his position on a register. Should any eligible decline appointment without the approval of the Director, his name shall be dropped from the register. Waiver of certification or declination of appointment shall not be approved more than twice from the same register.
7. Certification for original appointment shall, whenever practicable, be made to the lowest class in a grade, but a vacancy in a position in any class requiring the exercise of special, technical, or professional knowledge may be filled by original appointment.
8. When two or more eligibles have the same rating, precedence in certification shall be determined in accordance with section three of this rule, if applicable; otherwise, by the order in which their applications were filed.
9. All appointments to the classified civil service shall be made through the Bureau of Civil Service in strict accord with the civil service rules and regulations. Official correspondence by cable or letter with or relating to prospective appointees residing in the United States must be transmitted through the Director for appropriate action.
- Probationary period.
- Discharge or reduction of probationer.
- Eligibility of probationer, if separated.
- Waiver of certification or appointment.
- Appointments to lowest class.
- Eligibles with equal ratings.
- Correspondence with prospective appointees.

RULE VI.—Temporary service

1. Whenever there are fewer than three eligibles upon a register, the appointing officer may appoint probationally the one eligible, or one of the two eligibles, certified, in the same
- Temporary employment of eligibles.

manner as if three eligibles had been certified; but if he elects not to make probationary appointment from such certification, he shall select for temporary appointment the one eligible, or one of the two eligibles, if either will accept such temporary appointment. Temporary appointment made from an eligible register as provided in this section may continue until such temporary appointee is given probationary appointment or until the Director certifies three eligibles, when probationary appointment must be made.

2. Whenever there are no names of eligibles upon a register for any grade in which a vacancy exists, and the public interests require that it shall be filled before eligibles can be provided, such vacancy may, subject to the approval of the Director, be filled by the employment without examination of a person for such time as will enable the Director to provide one or more eligibles. Such temporary employment shall expire when the Director shall certify an eligible who accepts either temporary or probationary appointment.

3. Whenever the work to be done is, in the judgment of the Director, temporary in character, he may authorize temporary employment, giving preference to eligibles if available, which employment may continue until the completion of the work.

RULE VII.—*Reinstatements*

Any person who has been regularly appointed to a position in the classified civil service and who has through no delinquency or misconduct been separated therefrom may, if no good reason to the contrary appears, upon the requisition of the proper officer and the certificate of the Director, be reinstated to a vacant position of a class not higher than that from which he was separated, under the conditions named below: *Provided*, That in the discretion of the Director he may be reinstated to a vacant position of a higher class. The last two sections of this rule apply to the unclassified as well as to the classified service.

1. If the person had regularly entered the classified service without examination, a noncompetitive examination may be required, in the discretion of the Director, prior to reinstatement.

2. If for original entrance to the position proposed to be filled by reinstatement there is required, in the opinion of the Director, an examination essentially higher than, or different from, the examination for original entrance to the position previously held by the person whose reinstatement is proposed, a noncompetitive examination may be required prior to reinstatement.

3. A person who has served six months or less in the Philippine civil service may be reinstated as a probationer within a period of six months following his separation from the service under the former appointment; a person who has served more than six months but less than two years, and who has received absolute appointment, may be reinstated

within one year; a person who has served two years, but less than three years, may be reinstated within two years; a person who has served three years, but less than four years, may be reinstated within three years; a person who has served four years, but less than five years, may be reinstated within four years; and a person who has served five years or more may be reinstated within five years from the date of his separation from the service.

Enlistment.
(Amendment con-
tained in Execu-
tive Order No. 58,
dated July 17,
1917.)

4. Subject to the other conditions of these rules, any person whose separation from the civil service is caused by his enlistment or acceptance of a commission in the active military or naval forces of the United States and who is honorably discharged or released therefrom shall be preferred in appointment to any vacant position in the civil service which he is qualified to fill, and shall be eligible for reinstatement without regard to the time elapsed since his separation from such service.

Half salary and
traveling ex-
penses.

5. A person in the United States who resigns from the Philippine classified or unclassified civil service before having rendered three years' service in the Philippine Islands, and who is reinstated in either of said services, shall not be entitled to the half salary and traveling expenses provided by law for persons residing in the United States who are appointed to the Philippine civil service: *Provided, however,* That a person originally appointed in the United States who did not receive half salary and traveling expenses en route to the Islands and accrued leave of absence under his original appointment because of the fact that he left the service prior to the rendition of two years' service, shall be entitled to such half salary and traveling expenses on reinstatement.

Violation of
contract.

6. No person separated from the Philippine classified or unclassified civil service before having served the full period prescribed by law or contract shall be allowed to reënter either of said services until he shall have made good all loss caused by such separation and shall have refunded to the Government such proportion of the total expenses, if any, incurred by it by reason of his appointment, including salary and traveling expenses prior to the date he actually entered upon the duties of his position, as the time he failed to serve is to the time required by said law or contract, and then only on the approval of the head of the Department from which he was separated. Applications of such persons for reëntrance to the service should be made through the Director.

RULE VIII.—*Transfers*

Transfer within
a Bureau.

1. A person in any Bureau or Office may be transferred within the same Bureau or Office upon any test of fitness, not disapproved by the Director, which may be determined upon by the appointing officer, subject to the limitations of the proviso of section two of this rule.

Transfer from
one Bureau to an-
other (form 7).

2. A person who has received absolute appointment may, upon the completion of the proper form by the chiefs of the Bureaus or Offices interested, and the certificate of the

Director, be transferred from a position in one Bureau or Office to a position in another Bureau or Office: *Provided*, That transfer shall not be made without examination to a position if for original entrance to such position there is required under these rules an examination essentially higher than, or different from, the examination required for original entrance to the position from which transfer is proposed.

Examination.

3. No transfer shall be made of a person from any position in the unclassified service to a position in the classified service: *Provided*, That a person who has by promotion or transfer from the classified service entered the unclassified service, and has served continuously therein from the date of said promotion or transfer, may be retransferred to the classified position from which he was transferred or to any position to which transfer could be made therefrom: *Provided, however*, That if service is not continuous reentrance into the service may be had in accordance with Rule VII.

Transfer from unclassified to classified service.

4. Any person who has been transferred from one classified position to another classified position may be retransferred to the position in which he was formerly employed, or to any position to which transfer could be made therefrom, without regard to the limitations of these rules.

Retransfer.

5. A person in the classified service of the Federal Government of the United States may be transferred to any position in the Philippine classified service, subject to the conditions of these rules with respect to age limitations and examinations, and when an examination is required previous to such transfer the Director may accept such tests of fitness as may be made upon his request by the United States Civil Service Commission.

Transfer from the United States civil service.

6. An officer or employee occupying a competitive position in the Philippine classified civil service who has rendered three or more years of satisfactory service therein may be certified for transfer to the Federal classified civil service, subject to the provisions of the United States civil service rules.

Transfer to the United States civil service.

7. No chief of a Bureau or Office of the Government of the Philippine Islands, or any subordinate officer or employee thereof, shall directly or indirectly, invite, solicit, or even discuss with a subordinate officer or employee, classified or unclassified, permanent or temporary, of another Bureau or Office, or of the Army or the Navy of the United States in these Islands, his appointment or transfer to the Bureau or Office of such chief or subordinate, until the consent in writing is first obtained of the chief of the Bureau or Office in which the desired officer or employee is a subordinate, or of the Governor-General or proper head of Department, or of the officer of the Army or the Navy under whom he may be employed or serving.

Permission to seek transfer required.

RULE IX.—*Promotions*

1. No vacancy in any position shall be filled by original appointment whenever there is in the Bureau or Office in which the vacancy exists any person in a position in a

Vacancies to be filled by promotion.

lower class or grade who is competent and qualified and is willing to be promoted to the existing vacancy.

Promotion regulations.

2. In providing regulations and competitive examinations for promotion the Director shall give due weight to the previous experience and efficiency of officers and employees and shall introduce such tests of fitness as he may deem proper after consultation with the chiefs of the different Bureaus or Offices, for which promotion examinations may be held, for the purpose of determining the relative capacity and efficiency of officers and employees.

Examining committees.

3. In each Department, Bureau, or Office the Director may, subject to the provisions of section six of Rule III, designate a promotion examining committee of not less than three persons. The members of the committee shall perform such duties with respect to promotions and promotion examinations as the Director may require, in the performance of which duties they shall be under the sole control and authority of the Director.

Efficiency record (form 52).

4. There shall be kept in each office, on forms prescribed by the Director for that purpose, a comparative record from which the relative efficiency of employees may be determined. Among the elements of efficiency to be considered are quantity of work or the amount performed, quality of work or the degree of its excellence, physical condition, habits, character, conduct, aptitude and adaptability, punctuality, and attendance. This record shall be at all times open to the inspection of the Director. A report shall be made to the Director semiannually on the proper form, on the first days of January and July, giving the comparative term and corresponding efficiency rating applicable to each person according to the following scheme:

Excellent: Indicating a superior degree of efficiency or excellence.....	90 to 100
Good: Indicating a high degree of efficiency.....	80 to 89
Fair: Indicating an ordinary degree of efficiency.....	70 to 79
Poor: Indicating inefficiency	Below 70

Recommendations for promotion.

5. No recommendation of any person for promotion, whether verbal or in writing, shall be received or considered unless it be made by the officer or officers under whose supervision he is or has been employed, and the presentation of any other recommendation shall be considered an unwarrantable interference with the public service; and such a recommendation made at the solicitation or with the knowledge or consent of the employee shall be sufficient cause for debarring him from the promotion proposed, and a repetition of the offense shall be sufficient cause for removing him from the service.

Examinations for promotion.

6. Until the promotion regulations herein authorized have been promulgated by the Director for any Department, Bureau, or Office and the Director has notified such Department, Bureau, or Office, that he is prepared to conduct the promotion examinations authorized under the Revised Civil Service Act and rules, promotions therein may be made upon any tests of fitness not disapproved by the Director which may be determined upon by the appointing officer:

Provided, That pending the adoption of such regulations, in case of proposed promotion from one class or grade to another class or grade of an employee who has not entered the service through the examination prescribed for the class or grade to which promotion is proposed, such employee shall be required to obtain an eligible rating in such prescribed examination taken noncompetitively, and the appointment by promotion thus made shall not become effective prior to the date of taking the examination in which an eligible rating is obtained.

7. Save in exceptional cases, promotion or increase of salary shall not be made during the first six months after the appointment of an officer or employee, nor more frequently than once in twelve months thereafter, nor more than one class (or one-half of Classes C and D) at a time. The question of whether a case is or is not an exceptional one shall be submitted for determination to the Governor-General or proper head of Department, through the Bureau of Civil Service.

8. When a promotion is proposed by the chief of a Bureau or Office and the report of changes and absences or the efficiency report of that Bureau or Office is overdue, action on such proposed promotion may be suspended pending the receipt of said report in proper form.

RULE X.—*Appointment and employment*

1. All appointments to classified positions, except temporary appointments and appointments made by the Governor-General by and with the advice and consent of the Philippine Commission, whether original, by promotion, reduction, transfer, or reinstatement, must be made in accordance with the provisions of the Revised Civil Service Act, on form numbered thirty-three, and transmitted to the Director. If the appointments are allowable under the Revised Civil Service Act and rules, they shall be either approved by the Director and returned to the appointing officer or, where some question requires determination and in other cases where it seems advisable, forwarded to the Governor-General or proper head of Department for direction. A monthly report shall be made by the Director to the Governor-General and heads of Departments of appointments approved under the authorization given in this section; appointments thus reported which are not revoked within ten days after the receipt of such monthly report shall be held to have been approved in accordance with the provisions of the Revised Civil Service Act. In case such appointments are revoked they shall be considered as having been effective until the date of revocation.

2. The payment of any money on account of salary to any officer or employee in the classified service is not warranted prior to the receipt by the disbursing officer of notification from the chief of the Bureau or Office that the appointment or employment of such officer or employee has been duly authorized as provided by the Revised Civil Service Act and rules.

Frequency of promotion.

Suspension of action on proposed promotion.

Procedure in making appointments. (Modified by Executive Order No. 63 [1917].)

Salary not to be paid until employment authorized.

RULE XI.—*Examination requirements relating to appointment and promotion*

Salary limitations [amendment contained in Executive Order No. 34, dated April 2, 1914].

1. Probational appointment or promotion as a result of eligibility in the third-grade examination shall not be made to positions the salary or compensation of which is above the minimum of Class H.

2. Probational appointment or promotion as a result of eligibility in the second grade Spanish, junior typewriter, assistant computer or junior draftsman examination shall not be made to positions the salary or compensation of which is above the minimum of Class D.

3. Probational appointment as a result of eligibility in the second-grade English, first-grade Spanish, junior translator, or junior stenographer examination shall not be made to positions the salary or compensation of which is above the minimum of Class D; promotion as a result of eligibility in any of these examinations shall not be made to positions the salary or compensation of which is above the minimum of Class A.

4. Probational appointment or promotion as a result of eligibility in the typewriter examination shall not be made to positions the salary or compensation of which is above Class A.

5. Probational appointment or promotion as a result of eligibility in the interpreter examination shall not be made to positions the salary or compensation of which is above Class A, or as a result of eligibility in the junior interpreter examination to positions the salary or compensation of which is above the minimum of Class D. Eligibility in these examinations qualifies for appointment and promotion to positions of interpreter only, and not to positions whose duties are clerical.

6. The maximum salaries allowable by probational appointment or by promotion as a result of eligibility in examinations not named above may be fixed by the Director of Civil Service with the approval of the Governor-General.¹

¹ In accordance with this provision entrance and maximum salaries have been fixed for the following examinations as indicated below:

Examination.	Entrance salary.	Maximum salary allowable by promotion.
Bookkeeper, junior....	Not above P1,200 per annum.	Not above P1,800 per annum.
Civil engineer, assistant.	Not above P3,000 per annum.	Not above P3,000 per annum.
First grade English....	Not above P840 per annum. ^a	
Law clerk.....	Not above P1,200 per annum. ^a	
Rangers.....	Not above P1,200.	Not above P1,800.
Scientific assistant....	Not above P1,200.	Not above P2,400.
Teacher, junior.....	Not above P1,200.	Not above P1,800.
Technical, junior.....	Not above P1,200.	

^a Provided that in cases where the eligible has extended experience and has been or is employed at a higher salary, probational appointment may be made at a salary higher than those fixed, but it shall not be greater than the highest salary received by the eligible; and that entrance salaries higher than those fixed may be allowed in remote localities or under other exceptional circumstances, with the specific approval of the Governor-General in each case.

7. A person who has heretofore¹ qualified in a Spanish examination may be promoted to a position with a salary not in excess of that allowable as a result of the same examination in English if the appointing officer certifies that the principal duties of the position require a knowledge of Spanish or that the employee has a sufficient knowledge of English to perform the duties of the position to which the promotion is proposed.

RULE XII.—*Procedure in reductions, separations, and suspensions*

1. When the chief of a Bureau or Office deems it necessary to recommend the reduction in salary or compensation, deduction from pay, or suspension from duty without pay under the provisions of section sixteen of Act Numbered Sixteen hundred and ninety-eight, of a regularly and permanently appointed subordinate officer or employee in the classified civil service, or the deduction from pay or suspension from duty without pay of a subordinate officer or employee in the unclassified service who is entitled to the accrued leave provided by law, he shall in writing notify the person affected of the proposed action and the grounds upon which such action is premised, and shall prescribe a reasonable period, which shall not be less than twenty-four hours, within which a written reply may be submitted if desired, together with any written evidence the officer or employee may desire to submit. Upon receipt of the reply or after the expiration of the period within which such reply should have been submitted, the chief of the Bureau or Office shall forward to the Director a certified copy of the letter of notification and the reply and evidence, if any shall have been received. These papers shall be promptly forwarded to the Governor-General or proper Head of Department by the Director, together with his recommendation in the case, for final action.

Reductions,
fines, and suspen-
sions.

2. In case of proceedings to remove a regularly and permanently appointed subordinate officer or employee in the classified civil service for cause, the chief of the Bureau or Office may suspend such person at once, if he deem that course necessary, and, in any event, shall in writing notify the person in interest that his removal for cause is to be recommended, and of the ground upon which such recommendation is based, at the same time prescribing a reasonable period within which a written answer, supported by such written evidence as he desires to present, shall be submitted, such period to be not less than twenty-four hours after the actual receipt of the notification by the person recommended for removal. In the event of no response being received within the period prescribed, evidence of the receipt of the written notification, together with a certified copy of the same, shall be forwarded to the Director. If reply has been received, it shall be similarly forwarded

Removals.

¹ Before April 2, 1914.

with a certified copy of the notification mentioned, together with any other evidence or papers in the case. The Director shall promptly forward, with such comment as he may deem proper, all the papers in the case for final action. If such action be approval of the recommendation to remove for cause, the person affected shall be dropped from the rolls of the office as discharged on the day he was suspended, if suspension was made; otherwise his discharge shall be effective on the date of receipt by the chief of the Bureau or Office in interest of the notification of approval by the Governor-General or proper head of Department. Except by the specific approval of the Governor-General or proper head of Department, had in each specific instance, no officer or employee shall so construe the provisions of any law now in force as to authorize or require the official publication of the cause of removal of any person from the Philippine civil service in more specific terms than "for the good of the service."

Resignations.

3. In every instance of a tender of resignation by a regularly and permanently appointed subordinate officer or employee in the classified civil service, it shall be the duty of the officer authorized to act thereon to accept or decline to accept the same in writing, and if the resignation be accepted, to give him a letter stating clearly the character of the services rendered and whether or not, in the light of present information, a possible future application for reinstatement in the same Bureau or Office would be favorably considered. In the event of a statement to the effect that such application would not be favorably considered, reasons therefor shall be stated and the person in interest informed that he may, should he so desire, submit a written reply and such other written evidence as he may elect. When completed, certified copies or the originals of all the papers in the case shall be forwarded to the Director; in case of objection to reinstatement, the papers will be forwarded by the Director with such comment as he may deem proper, to the Governor-General or proper head of Department, for review and final action. For obvious reasons no officer or employee should be continued in his position who could not be recommended for reinstatement were he to resign.

Translation of papers.

4. If any of the papers in the proceedings under this rule are written in Spanish, the chief of the Bureau or Office shall furnish translations in English, whenever practicable, as well as the originals or certified copies thereof. All papers relating to the removal or resignation of subordinate officers or employees in the classified civil service shall be filed in the office of the Director.

Reports of removal or reduction of unclassified employees.

5. In all cases of removal or reduction of officers or employees in the unclassified service above the grade of semi-skilled laborer, the chief of the Bureau or Office shall furnish the Director with a full statement of the cause of the removal or reduction. In cases of resignation when an application

for reinstatement would not be favorably considered, the Director shall be furnished with a full statement of the character of the services rendered and the reasons why application for reinstatement would not be favorably considered.

RULE XIII.—*Prohibitions and penalties*

1. No person in the Philippine civil service shall use his official authority or official influence to coerce the political action of any other person or body. Political coercion.

2. No officer or employee in the Philippine civil service shall discharge or promote or degrade or in any manner change the official grade or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding, or neglecting to make, any contribution of money or other valuable thing for any political purpose whatever. Political contributions.

3. No inquiry shall be made, and no consideration whatever shall be given to any information relative to the political or religious opinions or affiliations of persons examined, or to be examined, or of officers or employees in the matter of promotion, and no discrimination shall be exercised, threatened, or promised against, or in favor of, any person employed, examined, or to be examined because of his political or religious opinions or affiliations. Politics and religion.

4. No recommendation of an applicant, competitor, or eligible involving any disclosure of his political or religious opinions or affiliations shall be considered by the Director, by any examining committee or special examiner, or by any nominating or appointing officer.

5. No officer or employee shall engage in any private business, vocation, or profession, or be connected with any commercial undertaking, or lend money on real or personal property, without written permission from the chief of the Bureau or Office in which he is serving, and of the Governor-General or proper head of Department. As a general rule, in any enterprise which involves the taking of time, this prohibition will be absolute in the case of those officers and employees whose remuneration is fixed in the assumption that their entire time is at the disposal of the Government; if granted permission to engage in a business requiring time of applicant, copies must be furnished the Director.¹ Private business.

6. Discourtesy to private individuals or to Government officers or employees, drunkenness, gambling, dishonesty, repeated or flagrant violation or neglect of duty, notoriously disgraceful or immoral conduct, physical incapacity due to immoral or vicious habits, incompetency, inefficiency, borrowing money by superior officers from subordinates or lending money by subordinate to superior officers, lending money at exorbitant rates of interest, willful failure to pay just debts, contracting loans of money or other property from merchants or other persons with whom the Bureau of the borrower is in business relations, pecuniary embarrassment Causes for removal, reduction, or other punishment.

¹ See also Executive Order No. 103, series of 1913.

arising from reprehensible conduct, the pursuit of private business, vocation, or profession without permission in writing from the chief of the Bureau or Office in which employed and of the Governor-General or proper head of Department, disreputable or dishonest conduct committed prior to entering the service, insubordination, pernicious political activity, offensive political partisanship or conduct prejudicial to the best interest of the service, or the willful violation by any person in the Philippine civil service of any of the provisions of the Revised Civil Service Act or rules, may be considered reasons demanding proceedings to remove for cause, to reduce in class or grade, or to inflict other punishment as provided by law in the discretion of the Governor-General or proper head of Department. No chief of a Bureau or Office shall knowingly continue in the public service any subordinate officer or employee who is inefficient or who is guilty of any of the above-named derelictions, without submitting the facts through the Director to the Governor-General or proper head of Department.

Information as to delinquencies and misconduct to be forwarded.

Like punishment for like offenses.

7. In making removals or reductions, or in imposing other punishment, for delinquency or misconduct, penalties like in character shall be imposed for like offenses, and action thereon shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

Political activity prohibited. (Executive Order No. 76, dated October 12, 1917.)

8. No person in the Philippine civil service, classified or unclassified, permanent or temporary, shall take any active part in political management or in political campaigns: *Provided*, That this section shall not apply to elective officers, officers and employees of either House of the Legislature, and Secretaries of Departments. Political activity shall consist, among other things, in candidacy for elective office, being a delegate to any political convention or a member of any political committee or directorate or an officer of any political club or other similar political organization, making speeches, canvassing or soliciting votes or political support in the interests of any party or candidate, soliciting or receiving contributions for political purposes, either directly or indirectly, or becoming prominently identified with the success or failure of any candidate or candidates for election to public office. The prohibitions herein contained apply to political activity with respect to the political parties of the United States as well as of the Philippine Islands. Violation of this section shall be considered cause for removal from the service.

Officers or employees of the court. (Executive Order No. 7, dated February 16, 1918.)
—purchases at judicial sales.

9. No officer or employee of any court of the Philippine Islands shall purchase or attempt to purchase, directly or indirectly, any property sold under the orders of the courts. Any such purchase or attempt to purchase shall be sufficient ground for removal from the service. No officer or employee of any court of the Philippine Islands shall serve as a commissioner, referee, or in any other capacity in cases pending before such court, except when he shall act as such under the direct supervision of the court and without any additional compensation.

—service as commissioner.

RULE XIV.—*Official record of officers and employees*

The Director shall keep an official record of all regularly and permanently appointed officers and employees in the civil service of the Philippine Islands above the grade of semiskilled laborer, and for the purpose of this record each chief of a Bureau or Office shall furnish to the Director:

1. The necessary information in such form and manner as he may prescribe with the approval of the Governor-General.

2. A statement on the proper form, on the first day of each month, of all changes, and the dates thereof, in the service under the control and authority of the chief of the Bureau or Office, setting forth, among other things, the following: The name of every person appointed, reinstated, promoted, reduced, transferred, or separated from the service; the position to which an appointment or reinstatement is made; the position from which and the position to which a promotion or transfer is made; the position from which a separation is made, whether by removal, resignation, or death, and the compensation of every position from which or to which a change is made.

RULE XV.—*Hours of labor*

1. It shall be the duty of all chiefs of Bureaus and Offices in the Philippine civil service to require of all subordinate employees, except teachers, of whatever grade or class, not less than seven hours of labor each day, exclusive of Sundays and all days declared public holidays by law or Executive Order, except that from April first to June fifteenth of each year chiefs of Bureaus and offices may reduce the required hours of labor to six and one-half hours,¹ and on Saturdays throughout the year they may reduce the required hours of labor to five hours: *Provided*, That except during the heated season the office hours of all Bureaus and Offices in the City of Manila shall be from eight o'clock antemeridian to four o'clock postmeridian with a reasonable intermission, not exceeding one hour, for lunch, on all working days not including Saturdays, and from eight o'clock antemeridian to one o'clock postmeridian on Saturdays; no change in these office hours shall be made without the specific written approval of the Governor-General or proper head of Department, and in case of such change the number of hours of labor herein fixed shall not be reduced. Not less than five hours of labor on each school day shall be required of all persons in the teaching service.

2. When the nature of the duties to be performed or the interests of the public service require it, the head of any Department, Bureau, or Office may extend the daily hours of labor herein specified for any or all of the employees under him, and in case of such extension it shall be without additional compensation unless otherwise provided by law. Officers and employees may be required by the head of the

¹ Section 564 of the Administrative Code allows reduction to five hours from April 1 to June 15.

Bureau or Office to work on Sundays and public holidays also, without additional compensation unless otherwise specifically authorized by law.

Record of attendance (form 48).

Monthly report (form 3).

Falsification.

3. Each chief of a Bureau or Office shall require a daily record of attendance of all the officers and employees under him entitled to leave of absence or vacation (including teachers) to be kept on the proper form and also a systematic office record showing for each day all absences from duty from any cause whatever. At the beginning of each month he shall report to the Director on the proper form all absences from any cause whatever, including the exact amount of undertime of each person for each day. Officers or employees serving in the field or on the water need not be required to keep a daily record, but all absences of such employees must be included in the monthly report of changes and absences. Falsification of time records will render the offending officer or employee liable to summary removal from the service and criminal prosecution.

RULE XVI.—*Leave of absence*

Application for accrued leave (form 39)

Information to be furnished.

Death.

Medical certificate (form 41).

Separations.

Leave accrued at different compensations.

1. (a) Applications for accrued leave of absence shall be made on the form provided for that purpose two weeks in advance, wherever possible, of the date on which it is desired that the leave shall become effective, and must be submitted to the proper chief of Bureau or Office for recommendation. Such chief of Bureau or Office shall transmit this form to the Director with recommendation and the data contemplated by the first indorsement on said form, together with any other information which may have a bearing on the allowance or disallowance of leave.

(b) In case of the death of an officer or employee the chief of his Bureau or Office shall transmit to the Director application for accrued leave due, and application supported by medical certificate on the form provided for that purpose, for vacation leave covering absence on account of illness immediately preceding death.

(c) When an officer or employee is separated from the civil service without prejudice, by resignation, death, or other cause, the money value of accrued leave granted, estimated in accordance with the provisions of Act Numbered Sixteen hundred and ninety-eight, may become immediately due and payable if the state of the appropriation from which his salary is payable warrants immediate payment. If the leave granted is commuted, payment therefor shall be made as provided by law; if the leave granted is not commuted, payment shall be made from the unexpended balance for salaries and wages, and the position shall remain vacant for a period equal to the accrued leave granted.

(d) An officer or employee who applies for accrued leave which was earned at different rates of compensation shall be granted leave with pay at the salary he is last receiving for a period equaling in money value the period of accrued leave estimated in accordance with the provisions of Act

Numbered Sixteen hundred and ninety-eight, and he may be granted, if he so desires, such additional leave, without pay, as will give him the aggregate length of time on leave, with and without pay, as provided in the aforesaid Act.

(e) Except on resignation, commutation of leave shall not be made to an officer or employee who remains in the Islands during the period of the leave granted. If he obtains commutation of leave and does not leave the Islands without delay or if he returns to the Islands more than three weeks prior to the expiration of the period of leave commuted and fails to make immediate refund of the money value of unused leave commuted, his action shall be considered cause for forfeiture of vacation leave and for such other disciplinary action by the Governor-General or proper head of Department as may be deemed necessary.

Commutation of leave.

Penalties for improperly obtaining commutation.

2. (a) All applications for vacation leave of absence for a period of one full day or more must be made on the form provided therefor five days in advance, wherever possible, and transmitted to the Director immediately: *Provided*, That applications on this form for two days or less may be retained by the chief of any Bureau or Office, if so preferred by him, and forwarded to the Director on the first day of the following month as inclosures to the monthly report; when so forwarded the first indorsement need not be completed. Applications for less than one day should not be forwarded. All absences, including fractions of a day, must be recorded on the daily time record and reported to the Director monthly. In case of illness or unavoidable absence from other cause notice must be immediately sent to the chief of the Bureau or Office, and the application, containing a brief explanation of the cause of delay in filing, forwarded later.

Application for vacation leave (form 55).

(b) The vacation leave of an employee whose salaries during a calendar year embrace the two rates of vacation leave provided in the schedule of section 24 of Act Numbered Sixteen hundred and ninety-eight shall be computed by allowing credit for the two rates in proportion to the part of the year served at each rate.

Vacation leave when salary changes during the year.

(c) When vacation leave is requested by any officer or employee (except a teacher) during his first six months of service from the date of original appointment the Director shall state on the application the date on which payment for such leave may properly be made under the provisions of Act Numbered Sixteen hundred and ninety-eight, and, unless the Governor-General or proper head of Department directs otherwise, on account of illness of the officer or employee, the chief of the Bureau or Office shall require that payment for such leave be withheld until that date.

Vacation leave during first six months' service.

(d) The application for vacation leave shall be used by teachers for all absences during school terms on account of illness or other cause, and the Director of Education shall require payment for such absences to be withheld until they have performed duty during vacation for a period equal to their absences from duty on account of illness, as required

Absences of teachers during school sessions (form 55).

by Act Numbered Sixteen hundred and ninety-eight: *Provided*, That if the absences were due to illness, the withholding of salary may be postponed to the beginning of the next summer vacation. Teachers in applying for permission to visit the United States shall use the same application.

Wounds or injuries.

(e) Applications of officers and employees for leave of absence on account of wounds or injuries incurred in the performance of duty, extending beyond the allowable vacation leave (paragraph (d), section twenty-five, Act Numbered Sixteen hundred and ninety-eight), must be made on the form used in making application for vacation leave, supported by medical certificate on the prescribed form and evidence showing that the wounds or injuries were incurred in the performance of duty.

Withholding pay for leave granted.

3. When an officer or employee is granted vacation leave in excess of the accrued leave allowable, or when he is granted vacation and accrued leave and the vacation leave is in excess of the accrued leave allowable at the expiration of the total vacation and accrued leave granted, payment for such excess leave shall be withheld until five days after return to duty. In the event that it shall appear during the first five days after return to duty from leave that it is not the intention of the officer or employee to continue in the performance of his duties any longer than to draw all back salary which may be due him, payment shall be withheld and full report thereof forwarded by the chief of the Bureau or Office, through the Director, to the Governor-General or proper Head of Department for action. If he fails to return to duty no payment for the leave withheld shall be made, unless the failure to return is due to illness and payment is authorized by the Governor-General or proper head of Department.

Absence due to illness.

4. All absences of an officer or employee in excess of the vacation or accrued leave allowable shall be without pay, unless the Governor-General or proper head of Department directs that payment for such absence be made, in accordance with paragraph (c), section twenty-five of Act Numbered Sixteen hundred and ninety-eight, on account of the absence being due to illness of the officer or employee. At the expiration of the first two years of service the officer or employee may make written application covering the period for which pay was withheld. This application shall be forwarded by the head of the Bureau or Office with his recommendation, through the Director, to the Governor-General or proper head of Department, who may direct that payment be made, if funds are available, and that the absence be charged against accrued leave.

Excess vacation leave charged to salary or accrued leave on separation.

5. If an officer or employee is separated from the service by resignation or otherwise except by death after having taken vacation leave in excess of that proportion due for the part of the calendar year served by him, such excess vacation leave shall be charged against his salary or accrued leave: *Provided*, That if the vacation leave was allowed on

account of illness of the officer or employee, the Governor-General or proper head of Department may direct that no deduction be made from his salary or accrued leave for such excess vacation leave previously allowed.

6. An officer, teacher, or other employee appointed under the provisions of Act Numbered Sixteen hundred and ninety-eight who is separated from the service by resignation or otherwise before having served two full years in the Islands shall not be allowed any leave on separation.

Leave not allowable on separation prior to completion of two years' service.

7. (a) The resignation of a teacher who has served in the Islands two full school years or more may be accepted at the end of a school year and he may be allowed the vacation current: *Provided*, That the total vacation enjoyed by him shall not exceed twelve weeks for every forty weeks actually taught.

Vacation of teachers.

(b) As a rule, the resignation of a teacher will not be accepted prior to the termination of the school year: *Provided*, That if for illness or other urgent necessity the resignation of a teacher who has served in the Islands more than two years is accepted without prejudice or permission to visit the United States is granted by the Secretary of Public Instruction prior to the termination of the school year he may be allowed salary for one week's vacation for every month actually taught by him since the preceding summer vacation, any absence chargeable to vacation to be deducted from this allowance; but the total vacation enjoyed by him shall not exceed twelve weeks for every forty weeks actually taught. Vacation may be allowed to the estate of a teacher who dies on the same basis as to a teacher whose resignation is accepted on account of illness.

Resignation or leave during school year.

8. In every case where action by the Governor-General or head of Department is contingent upon illness of an officer or employee evidence of illness must be submitted on the prescribed form except where a teacher applies for permission to make up, during vacation, time lost from duty on account of illness; if the illness was due to immoral or vicious habits, favorable action will not be taken.

Illness, evidence required (form 41).

9. When an application for leave is received by the Director and the monthly report is overdue, action on such application may be suspended pending the receipt of such report in proper form, but such suspension and the reason therefor shall be communicated immediately, in writing, by the Director, to the proper chief of Bureau or Office.

Suspension of action of applications for leave.

10. Absence on Saturday shall be counted as absence for one full day. A Sunday or a holiday occurring at the beginning or at the end of a period of accrued or vacation leave shall not be considered as a day chargeable to leave unless the duties of the position demand the rendering of service on such day. Leave of absence for any reason other than serious illness must be contingent upon the necessities of the service.

Absence on Saturday.

11. Officers or employees on leave of absence shall report to the chiefs of their respective Bureaus or Offices at the

Leave contingent on needs of the service.

Employees on leave to report addresses.

end of each month by registered mail their post-office addresses for the ensuing month, and shall promptly report in a similar manner and in sufficient detail every unexpected and unavoidable delay which may have occurred during the period contemplated by their leave of absence. Absence from duty at station in the Philippine Islands after the expiration of the leave due shall be without pay.

Unexplained absence.

12. No officer or employee in the Philippine civil service shall be dropped from the rolls of his office for unexplained absence in the United States until at least forty days after the expiration of the period of absence contemplated by the leave granted, and then only with the approval of the Governor-General or proper head of Department.

Return transportation from the United States.

13. (a) All officers and employees who are granted leave of absence for the purpose of visiting the United States and who contemplate returning to duty upon the expiration of such leave of absence shall, before leaving the Islands, make application to the Executive Secretary for transportation returning to Manila. In each application the date of the expiration of leave of absence and the post-office address of the applicant while in the United States must be stated. Where the employee has served more than three years in the Islands such return transportation will be advanced upon request, provided the employee agree to reimburse the Government in installments and to remain in the service until such reimbursement is made.

Correspondence regarding return transportation.

(b) If transportation is not advanced as provided in the next preceding section, immediately upon reaching the United States remittance covering cost of return transportation must be made to the Chief of the Bureau of Insular Affairs, War Department, Washington, District of Columbia, with a statement of the date on which the applicant desires to leave the United States. All subsequent communications regarding return transportation and prompt report of any changes occurring in the applicant's post-office address must also be directed to the Chief of the Bureau of Insular Affairs, and a duplicate copy of each such communication mailed at the same time to the chief of the Bureau or Office interested.

Expense account.

(c) An officer or employee entitled to traveling expenses from his place of residence in the United States to Manila under the provisions of section twenty-three or twenty-nine of Act Numbered Sixteen hundred and ninety-eight, or from foreign countries under the provisions of section twenty-three of Act Numbered Sixteen hundred and ninety-eight, shall file with the Insular Auditor his expense account within thirty days, if possible, after arrival at Manila.

JAMES F. SMITH, *Governor-General*

EXECUTIVE ORDERS

THE GOVERNMENT OF THE PHILIPPINE ISLANDS EXECUTIVE BUREAU

MANILA, *December 1, 1913*

EXECUTIVE ORDER }
No. 103 }

For the future, the executive authority given by the law to permit, in certain cases, Government employees to engage in private business outside of their official duties, will not be favorably exercised except under most exceptional circumstances. It is not intended by this that all employees of the Government who have engaged in private business under executive permission conferred in accordance with the law should sever their connection with such business enterprises; and such cases would be considered for revocation of the permission already extended only where such business activities impair the efficiency of the Government employee during his official work, tend to influence improperly his official actions, secure to him any unfair advantage in connection with his official position, or otherwise bring discredit upon the Government. On the other hand, it should be understood that for the future such business employment outside of official life is considered to affect unfavorably the capacity of the employee to perform the Government services for which he is drawing his salary; his entire time and strength is due to the Government even though he may be called upon to give such time and strength outside of office hours.

No employee will be allowed to take any part in the management of any business or engage in outside clerical or sedentary employment or any profession or employment which would bring him into competition with professional or business men, and permission to accept employment will as a rule be limited to that involving outdoor labor which would better the physical condition of the employee and to teaching engineering, stenography, and such other branches as would be of benefit to the Government or the community, the time to be devoted to this teaching not to exceed that prescribed for the Government night schools (one and one half hours daily).

Permission for all investments made in the Philippine Islands must be obtained from the Governor-General or proper Secretary of Department. No request will be approved to make any investment which might bring the employee's private interests into real or apparent conflict with his public

duties or in any way influence him in the discharge of his duties, or to make any investment which might interest the employee in an undertaking with which his public duty is connected or which might cause criticism of the Government or the employee. Employees shall not obtain concessions from the Government or own stock in companies holding concessions.

Loans from subordinates to superiors and loans on personal security are absolutely prohibited. Loans on real estate with interest at 10 per cent per annum or less will usually be approved under proper conditions.

Any violation of the provisions of this order or acceptance of employment or making investments or loans without the required permission will be sufficient cause for removal from the service.

FRANCIS BURTON HARRISON
Governor-General

OFFICE OF THE GOVERNOR-GENERAL OF THE
PHILIPPINE ISLANDS

MANILA, *March 22, 1921*

EXECUTIVE ORDER }
No. 12

In connection with the enactment of Act Numbered Two thousand nine hundred ninety with regard to the commutation under certain conditions of accrued leave in excess of the leave for five years of service and which would otherwise be forfeited, the following procedure should be followed by the persons concerned: In order that a person who has to his credit the accrued leave for five years of service may establish his right to the commutation allowed by the law referred to above, he shall forward an application for accrued leave, on the usual form and in the usual way, covering the period of time which he desires to enjoy. This application should be acted upon by the chief of the bureau or office as contemplated by the printed first indorsement thereon. Favorable action should always be taken unless the services of the applicant are practically indispensable, which would very rarely be the case, because denial of the request exposes the Government to a considerable expense, and the new law is susceptible to much abuse if it be administered with a view to granting a certain class of employees additional compensation rather than a view to the real exigencies of the Government service. A uniform policy by all chiefs of offices of taking favorable action will be advantageous to all the parties concerned. The employee will thereby be benefited because he needs rest and recuperation of impaired health due to long and continuous service to which he has been subjected. The Govern-

ment on the other hand will share the benefit thus derived by the employee because when he returns to duty he will embark upon his work with new vigor and energy. If the application for leave is denied, the officer doing so shall state in detail the reasons therefor, which must be sufficient to make it appear that the Government would suffer a greater loss by sparing the applicant's services for the period of leave applied for than the money value of the accrued leave in excess of that pertaining to five years' service. He shall also make specific statement as to the earliest probable date on which the applicant might be granted the leave applied for or a portion thereof.

If the application is disapproved on account of the real exigencies of the service, the applicant will thereby become eligible to the benefits conferred by Act No. 2990. At the expiration of one year from the effective date of the leave applied for, when the right to commutation herein mentioned is perfected, the applicant may request commutation of the accrued leave which is then in excess of that pertaining to five years of service. It should be understood that as the law has no retroactive effect commutation of any accrued leave forfeited on or before the enactment of the law aforementioned cannot be entertained.

CHARLES E. YEATER
Acting Governor-General

OFFICE OF THE GOVERNOR-GENERAL OF THE
PHILIPPINE ISLANDS

MANILA, *March 8, 1922*

EXECUTIVE ORDER }
No. 12

It having been brought to my attention that the provisions of Memorandum Order, this office, dated January 23, 1918, are not being complied with and that Bureaus are bidding against each other for desirable men by offering increases of salary, which practice is demoralizing and it is directed that each Head of Department or Chief of Bureau or Office take the necessary steps to prevent the transfer of any of his employees, either classified or unclassified, as a result of such procedure and that no action be taken which tends to encourage the practice of one Bureau or Department bidding against another for the services of an individual.

LEONARD WOOD
Governor-General

MEMORANDUM ORDERS

OFFICE OF THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS

Memorandum order

To all Chiefs of Bureaus and Offices:

Coursing of correspondence regarding appointments and leave through Bureau of Civil Service.

"It is hereby directed that all correspondence with reference to cablegrams regarding appointments in the United States, return transportation from the United States, extensions of leave of absence without pay, and similar matters affecting the status or privileges of officers and employees of the Philippine civil service where action by the Governor-General or the Executive Secretary is required, be addressed to these officials through the office of the Director of Civil Service and the proper Head of Department.

"In connection with the memorandum order of the Governor-General of the ninth instant, with reference to new appointments and special case promotions, it is directed that all requests for permissions to make such appointments or promotions be transmitted to the Governor-General through the Bureau of Civil Service and proper Head of Department, accompanied by a statement of the appointing officer, in each separate case, explaining the necessity for making the new appointment or special case promotion.

"Any other matters not specifically mentioned in this order should be sent through the Bureau of Civil Service if it is at all likely that the recommendation or action of that Bureau is necessary.

"The procedure prescribed in this order is for the purpose of expediting the handling of matters in which the recommendation or other action of the Bureau of Civil Service is desired.

FRANCIS BURTON HARRISON

"Governor-General"

IGNACIO VILLAMOR

Executive Secretary

MANILA, January 22, 1915

OFFICE OF THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS

Memorandum order

To all Chiefs of Bureaus and Offices:

Restricting temporary employment of non-eligibles.

My attention has been called to the extensive system of temporary employment which has prevailed for years in this Government. Some of this temporary employment is justi-

fied by the fact that a sufficient number of persons eligible for regular appointment are not available for the work in hand, this being particularly true in the teaching service. There are many other positions which, on account of their temporary nature and the constantly changing demands, should properly be considered as temporary, such positions being mainly in connection with road and building construction and other outdoor employment.

I am convinced, however, that appointing officers have frequently abused the privilege of temporary employment in connection with clerical positions, and that the time has come when clerical positions throughout the service, save in a very few remote localities, can be filled from the regular registers of eligibles not only without detriment to the service, but with positive benefit. In order to prevent any extension of the temporary employment system, it is hereby directed that all clerical or semi-clerical positions (clerks, bookkeepers, typewriters, translators, law clerks, chiefs of divisions, etc.), be filled hereafter by promotion, transfer, or reinstatement of eligibles, or by selection from the regular registers of eligibles. No further increases in salary will be authorized for non-eligibles now employed in such positions, nor will temporary employment of eligibles be authorized with higher rates of compensation than those to which their examination status entitles them. Appointing officers will be expected to anticipate the needs of the service for which they are responsible and to provide in advance for the necessary special training of new clerks when vacancies occur in positions requiring knowledge of special duties.

Requests for authority for temporary employment of non-eligibles in clerical or semi-clerical positions based on knowledge of typewriting, languages, law, etc., will not be entertained. Exceptions may be made only in remote provinces where no eligibles are available and possible in certain cases where a knowledge of stenography is an absolute requirement, but in every case they shall bear the specific approval of the Governor-General, after a complete statement of the necessity for making the employment is made by the appointing officer and the recommendation of the Director of Civil Service is obtained.

All persons whose temporary employment in clerical or semi-clerical positions has already been authorized and who are not now eligible for regular appointment, are directed to make special effort to qualify for regular appointment by entering an appropriate examination. Employees stationed in Manila should consult the Bureau of Civil Service and enter an examination on the earliest possible date. Employees stationed in the provinces should be directed to enter an appropriate examination when the general examinations are held in provincial capitals on September 18-19, 1915. Applications for the required examinations should be transmitted to the Bureau of Civil Service immediately by all employees affected by this order.

In order to secure effective compliance, all chiefs of bureaus and offices are directed to report to the Bureau of Civil Service, not later than January 1, 1916, and each six months thereafter, the action taken in this matter, the number of persons who have failed to qualify for regular appointment who are still employed in clerical positions, and the necessity, if any, for retaining them in the service beyond that date.

FRANCIS BURTON HARRISON

Governor-General

MANILA, July 9, 1915

OFFICE OF THE GOVERNOR-GENERAL OF THE
PHILIPPINE ISLANDS

Memorandum order

To all Chiefs of Bureaus and Offices:

Suspension of
subordinate offi-
cers or employees.

Attention is invited to section 260 of the Administrative Code which reads in part as follows:

"When the chief of Bureau or Office suspends a subordinate officer or employee from duty, the person suspended shall not receive pay during suspension unless the Department Head shall so order; but upon subsequent reinstatement of the suspended person or upon his exoneration, if death should render reinstatement impossible, any salary so withheld shall be paid, but without prejudice to the application of the disciplinary provisions of section seven hundred and thirty (should be six hundred and ninety-five) hereof.

"* * * * *

Section 695 of the Administrative Code provides that for neglect of duty or violation of office regulations, or in the interest of the public service, a chief of Bureau or Office may remove any subordinate officer or employee from the service, suspend him without pay for not more than two months, reduce his salary or compensation, or deduct therefrom any sum not exceeding one month's pay.

It will thus be seen that upon subsequent reinstatement of a suspended official or employee the heaviest administrative punishment that may be imposed under existing law would be suspension without pay for two months, reduction in salary, or deduction of one month's pay. Therefore, if the official or employee has been suspended for a period in excess of two months, he would be entitled to receive pay for the balance of his suspension, in excess of that period (assuming that the heaviest punishment is imposed), irrespective of whether or not seemingly good reasons existed for his suspension at the time his suspension was ordered. In the case of positions which can not be left unfilled without detriment to the public service, the suspension of the incumbent is therefore liable to result in the payment of two salaries, one to the suspended official or employee and the other to the official or employee who temporarily replaced the per-

son suspended. In any event it may be necessary to pay an employee's salary during a period in which no service was rendered and for which consequently the Government gets nothing in return.

It is therefore directed that the utmost caution be exercised by all chiefs of Bureaus and Offices in the suspension of subordinate officers and employees to the end that payment of salaries to persons who have actually rendered no service may be avoided. It should be borne in mind that under section 2 of Civil Service Rule XII suspension of an employee pending proceedings for removal *may* be ordered but suspension need not necessarily be made coincident with such removal proceedings and is contingent upon such course being deemed necessary in the interest of the public service. It should also be borne in mind that section 6 of Civil Service Rule XIII contemplates that action looking to the removal of an employee should be taken only when there are strong reasons to believe that the respondent is guilty of charges which, if established, would warrant his removal from the service, and no suspension pending removal should be made unless the charges are such as to warrant removal.

The mere filing before the courts of criminal charges against an employee should not be considered as necessarily requiring the suspension from office of the accused. As a rule, especially where the criminal act with which the officer or employee is charged has no relation with the accused's official duties as a public servant, proceedings for the removal of the accused employee should not be instituted until after verdict shall have been rendered by the courts. Generally a conviction by the lower court would be sufficient to warrant the institution of administrative proceedings for the removal of the employee and his immediate suspension, even though appeal from the sentence is taken before a higher court. There may, however, be cases of employees charged with criminal offenses whose continuance in the service may result in further loss to the Government or be in some other way prejudicial to its interests or to the best interests of the public service; as, for example, in the cases of officers having custody of public funds who are charged with malversation of public funds, of officers or employees the nature of whose duties gives opportunity for graft and who are charged with grafting, of officers vested with police powers who are charged with abuse of such powers and who are likely to make further use of their authority to oppress, intimidate or coerce prospective witnesses against them, etc. In such cases the accused official or employee may be immediately suspended from office and proceedings looking to his removal forthwith instituted without the necessity of awaiting the termination of the criminal proceedings.

It is hereby directed that hereafter no suspensions be ordered by chiefs of Bureaus and Offices without first submitting as complete as possible a statement of the facts and circumstances of the case to and securing prior approval of

the Head of the proper Department or of the authority empowered to take final action in the administrative case, save only in those cases where it is in the opinion of the chief of bureau or office imperatively necessary that the employee be suspended to avoid repetition of the acts with which he is charged.

FRANCIS BURTON HARRISON

Governor-General

MANILA, November 7, 1917

OFFICE OF THE GOVERNOR-GENERAL OF THE
PHILIPPINE ISLANDS

Memorandum order

To all Chiefs of Bureaus and Offices:

Section 674 of the Administrative Code reads as follows:

"Examining committees and special examiners.—The Director of Civil Service may, with the approval of the proper head of Department, appoint examining committees or special examiners from officers and employees in the service. Such persons shall be examiners of the Bureau of Civil Service, and shall perform such duties as the Director may require in connection with examinations, investigations, appointments, and promotions, and in the performance of such duties they shall be under his exclusive control. The duties so performed by them shall be deemed part of the duties of the office to which they pertain, and time shall be allowed for the performance of such duties during office hours."

The attention of officers and employees appointed upon examining committees or designated as special examiners under the foregoing provision of law is invited to the necessity of rendering prompt and efficient service when called upon to do so. Provincial treasurers and division superintendents of schools, unless especially relieved, are members of examining committees and should, together with the regularly appointed committee members, make every effort to be present during the whole of every examination. Failure on the part of special examiners to discharge their duties properly as such will, on recommendation of the Director of Civil Service, be considered a sufficient cause for administrative action by this office.

FRANCIS BURTON HARRISON

Governor-General

MANILA, March 6, 1920

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR NO. 73]

MANILA, January 15, 1919

To Chiefs of Bureaus and Offices:

I have the honor to invite attention to the following provisions of law and civil service rules touching political activities of persons in the Government service.

ADMINISTRATIVE CODE

SEC. 449. *Persons prohibited from influencing elections.*—No judge of first instance, justice of the peace, or treasurer, fiscal, or assessor of any province and no officer or employee of the Philippine Constabulary or of the Bureau of Education shall aid any candidate or exert influence in any manner in any election or take part therein otherwise than by exercising the right to vote, under penalty of being deprived of his office and being disqualified to hold any public office whatever for a term of five years.

Amended by Act
No. 3030¹

SEC. 687. *Contributions to political fund prohibited.*—No person in the Philippine civil service shall be under obligation to contribute to a political fund or to render any political service, nor shall he be removed or otherwise prejudiced for refusing to contribute or render any such service; and no officer or employee in the Philippine civil service shall directly or indirectly solicit, collect, or receive from any other officer or employee, any money or other valuable thing to be applied to the promotion of any political object whatever.

Any person violating any provision hereof shall be removed from office or dismissed from the service and shall be subject also to prosecution as provided by law.

SEC. 2673. *Solicitation of political contribution or political service.*—Any officer or employee in the Philippine civil service who shall directly or indirectly solicit, collect, or receive from any other officer or employee in such service any money or other valuable thing to be applied to the promotion of any political object or purpose or shall solicit or require him to render political service of any sort, and any officer who shall remove any other officer or employee in such service or otherwise injuriously affect or prejudice him in his official position on account of his failure or refusal so to contribute or render political service, shall be punished by a fine not exceeding one thousand pesos or by imprisonment not exceeding six months, or both.

CIVIL SERVICE RULES

SEC. 1, *Rule XIII.*—No person in the Philippine civil service shall use his official authority or official influence to coerce the political action of any other person or body.

¹ Act No. 3030 approved March 9, 1922, reads as follows:

"SEC. 449. *Persons prohibited from influencing elections.*—No judge of first instance, justice of the peace, or treasurer, fiscal, or assessor of any province and no officer or employee of the Philippine Constabulary, or of any province or municipality, or of the Bureau of Education, or employee of the classified civil service, shall aid any candidate or exert influence in any manner in any election or take part therein otherwise than by exercising the right to vote.

"All foreign persons shall be strictly prohibited from aiding any candidate, either directly or indirectly, and from taking part in or influencing any election in any manner."

SEC. 6, *Rule XIII*.—* * * pernicious political activity, offensive political partisanship or conduct prejudicial to the best interest of the service * * * may be considered reasons demanding proceedings to remove for cause, to reduce in class or grade, or to inflict other punishment as provided by law in the discretion of the Governor-General or proper head of Department. No Chief of a Bureau or Office shall knowingly continue in the public service any subordinate officer or employee who is inefficient or who is guilty of any of the above-named derelictions, without submitting the facts through the Director of Civil Service to the Governor-General or proper head of Department.

SEC. 8, *Rule XIII*.—No person in the Philippine civil service, classified or unclassified, permanent or temporary, shall take any active part in political management or in political campaigns: *Provided*, That this section shall not apply to elective officers, officers and employees of either House of the Legislature, and Secretaries of Departments. Political activity shall consist, among other things, in candidacy for elective office, being a delegate to any political convention or a member of any political committee or directorate or an officer of any political club or other similar political organizations, making speeches, canvassing or soliciting votes or political support in the interest of any party or candidate, soliciting or receiving contributions for political purposes, either directly or indirectly, or becoming prominently identified with the success or failure of any candidate or candidates for election to public office. The prohibitions herein contained apply to political activity with respect to the political parties of the United States as well as of the Philippine Islands. Violation of this section shall be considered cause for removal from the service.

It is requested that this circular be brought to the notice of all officers and employees under your jurisdiction, classified or unclassified, permanent or temporary.

Very respectfully,

P. R. ANGELL
Director of Civil Service

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 74]

MANILA, *January 29, 1919*

To all Chiefs of Bureaus and Offices:

GENTLEMEN: Recent developments would seem to make it advisable to call the attention of Government officials and employees to the necessity and manner of keeping daily time records and of reporting undertime and absences to this Bureau.

Under the provisions of the law and rules it is the duty of chiefs of Bureaus and Offices to require of all subordinate employees, except teachers, of whatever grade or class, not less than seven hours of labor each day, exclusive of Sundays and

holidays. On Saturdays and during the hot season from April 1st to June 15th the hours may be reduced to five.

Teachers are required to devote, during the school year, not less than five hours per day to school work for five days in the week, exclusive of holidays. Where teachers are placed on the accrued leave basis their hours of labor will, of course, be those specified in the foregoing paragraph.

The matter of keeping accurate records of attendance of leave-earning employees of the Government is one of supreme importance. Civil Service Rule 15, section 3, provides:

Each chief of a Bureau or Office shall require a daily record of attendance of all the officers and employees under him entitled to leave of absence or vacation (including teachers) to be kept on the proper form and also a systematic office record showing for each day all absences from duty from any cause whatever. At the beginning of each month he shall report to the Director (of Civil Service) on the proper form all absences from any cause whatever, including the exact amount of undertime of each person for each day. Officers or employees serving in the field or on the water need not be required to keep a daily record, but all absences of such employees must be included in the monthly report of changes and absences. Falsification of time records will render the offending officer or employee liable to summary removal from the service and criminal prosecution.

The form referred to as the one on which the daily record of attendance must be kept is Bureau of Civil Service Form No. 48, which, when filled out, serves as the office record required by the rule. For obvious reasons entries thereon should not be made by the individual employees concerned, but by a clerk detailed for the purpose, who, in those offices where a time clock is used, should transfer the daily record from the clock ribbon to Form 48. At the end of the month the record thus prepared should serve as the basis for reporting undertime and absences to this Bureau on Form 3. It is not sufficient, as is sometimes done, to prepare the latter report from applications for leave filed by the employees.

Chiefs of Bureaus, and officers who rank higher than they in the three branches of the Government, are not, under decisions, required to keep daily time records, but the time of arrival and departure of all subordinate officers and employees must be recorded in the manner outlined. Tardiness in arrival cannot be made up by overtime unless by special authority of the chief of the Bureau, and practice has shown that where disciplinary measures are instituted against an employee who is late more than twice or thrice during the month the effect is to secure punctuality in attendance on the part of all others.

Attention is invited to another important consideration—"only those employees are entitled to leave whose office hours are so

fixed that the employees or officer is in his office or on duty each the number of hours required by law" (Opin. Atty.-Gen.). Furthermore, nonobservance of office hours brings any officer under the provisions of paragraph (f) section 2 of Act No. 1040 (now 279-h of the Administrative Code) and deprives him of the regular leave privileges of the same Act" (Res. Phil. Com. of March 11, 1907). That interpretation is strictly adhered to by this Office, and where the time records of an employee are not kept, he is considered as having failed to keep office hours and denial of leave is recommended accordingly.

Very respectfully,

(Sgd.) P. R. ANGELL
Director of Civil Service

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
 BUREAU OF CIVIL SERVICE

[CIRCULAR NO. 1]

MANILA, *January 2, 1920*

To the Chiefs of Bureaus and Offices:

I have the honor to request that in all cases where leave granted has been commuted under section 288 of the Administrative Code, the following information be furnished to this office by officers and employees on returning from leave of absence granted to visit the United States or foreign countries. The letter containing this information should be signed by the officer or employee concerned, and sent through the proper chief of bureau or office, who should certify to its correctness so far as the last day of service before taking the leave and the first day of service after return are concerned. This information should be furnished as soon as possible after the employee returns to duty.

1. OFFICERS AND EMPLOYEES STATIONED IN MANILA

- (a) The name of the country visited.
- (b) Whether or not it is desired to claim return traveling expenses in connection with this leave.
- (c) The last day of service in Manila.
- (d) The date of departure from Manila, and the name of the vessel upon which the officer or employee left.
- (e) The names of any other vessels upon which transportation was had between Manila and the country visited, if any change in vessels was made, and the date of arrival in the country visited. In case the employee stopped over at any port, give the name of the port, dates of ar-

rival and departure therefrom, and a statement as to the cause of the stop-over.

(f) The date of departure from the country visited.

(g) The name of the port of embarkation in such country, and the name of the vessel upon which the employee embarked.

(h) The names of any other vessels upon which transportation was had between such port of embarkation and Manila, if any change in vessel was made. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom, and the cause of the stop-over.

(i) The date of arrival in Manila.

(j) The first day of service after arrival in Manila.

(k) Whether or not it is desired to relinquish a part of the half pay allowable, provided the officer or employee has not used all the vacation and accrued leave with full pay allowable.

2. OFFICERS AND EMPLOYEES STATIONED OUTSIDE OF MANILA

(a) The name of the country visited.

(b) Whether or not it is desired to claim return traveling expenses in connection with this leave.

(c) The name of the city or town in which stationed prior to taking leave.

(d) The last day of service at station.

(e) The date of departure from station for Manila; if water transportation was used, the name of the boat should be stated.

(f) The date of arrival in Manila.

(g) The inclusive dates of official duty performed in Manila prior to departure therefrom, if any official duty was performed; the chief of bureau or office under whose authority such duty was rendered should certify to its performance and state the character thereof.

(h) The date of departure from Manila and the name of the vessel upon which the officer or employee left.

(i) The names of any other vessels upon which transportation was had between Manila and the country visited, if any change in vessels was made, and the date of arrival in the country visited. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom and the cause of the stop-over.

(j) The date of departure from the country visited.

(k) The name of the port of embarkation in such country and the name of the vessel upon which the officer or employee embarked.

(l) The names of any other vessels upon which transportation was had between the country visited in Manila, if any change in vessels was made. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom, and the cause of the stop-over.

(m) The date of arrival in Manila.

(n) The inclusive dates of official duty performed in Manila prior to returning to station, if any official duty was performed; the chief of bureau or office should certify to the performance of such duty in accordance with (f) above.

(o) The date of departure from Manila for station; if water transportation was used the name of the boat should be stated.

(p) The date of arrival at station and the name of the station.

(q) The first day of service after arrival at station.

(r) Whether or not the first transportation for the United States or foreign country after arrival in Manila from station, or the first transportation for station after return to Manila, was used; if not, a full statement of the causes of delay should be made.

(s) Whether or not it is desired to relinquish a part of the half pay allowable, provided the officer or employee has not used all the vacation and accrued leave with full pay allowable.

If, on returning from leave of absence, an officer or employee whose station is in the provinces is temporarily assigned to duty in Manila pending permanent assignment to duty in the provinces, this office, upon request, will advise the Insular Auditor of the partial adjustment of his leave in order that payment may be made for the allowances (vacation leave and half pay) withheld until return to the Islands. The request for such partial adjustment should show the first day of service in Manila and the necessary data indicated above. When the officer or employee proceeds to his permanent station a supplemental statement should be furnished showing the last day of service in Manila and the remaining data indicated above. This office will then advise the Insular Auditor of the final adjustment of the leave.

This cancels Circular No. 28 of this Bureau of December 12, 1907.

Very respectfully,

P. R. ANGELL
Director of Civil Service

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 2]

MANILA, November 16, 1920

To all Chiefs of Bureaus and Offices:

With reference to the designation of permanently and regularly appointed Government employees as Government pensionados to study abroad, it has been decided that they should be considered as on official duty during the period of their sojourn in the United States or some foreign country. It should be stated in this connection that Act 2911, approved March 23, 1920, provides for the allowance of accrued and vacation leave for service outside of the Islands. This information is furnished in order that bureaus and offices may keep accounts

payable relative to accrued leave due Government pensionados above referred to.

JOSE GIL
Acting Director

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 3]

MANILA, *March 23, 1921*

To all Chiefs of Bureaus and Offices:

This Bureau has been the recipient of many communications from employees of the Government requesting computations of the accrued leave to which they are entitled. As computation of leave is made only upon receipt of application for accrued leave on the regular form this office has consistently refused to make such computations. It is requested that this matter be brought to the attention of each officer or employee in the Government service in order that they may be informed on the subject, thereby saving themselves and this office unnecessary correspondence.

JOSE GIL
Acting Director

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 4]

MANILA, *June 13, 1921*

To all Chiefs of Bureaus and Offices:

Civil Service privileges, like leave of absence with pay, are granted only to persons who render continuous, faithful, and satisfactory service. Where, for certain irregularities in the performance of their duties or for any other reason, officers and employees are administratively investigated or administrative proceedings are being instituted against them and the outcome thereof may or may not be their final separation from the service, it is necessary for chiefs of bureaus and offices to see to it that no leave of absence with pay is granted the respondent for the time being. It should be stated that for failure to supply this office with necessary information there have

recently been several cases where employees were granted leave of absence, which leave should have been denied. Where leave is granted in this way the Government is made to suffer unnecessarily. Attention, in this connection, is invited to section 1 (a) of Civil Service Rule 16, which prescribes that in forwarding applications for leave this office shall be furnished with the data contemplated by the printed first indorsement, "together with any other information which may have a bearing on the allowance or disallowance of leave." It will be seen that a strict compliance with this provision of Rule 16 will surely avoid cases of overpayments because of the leave granted as stated above, and in order that the interests of the Government may be properly protected, drastic action will hereafter be recommended against the person or persons responsible for the overpayments herein alluded to.

(Sgd.) JOSE GIL
Acting Director

Approved:
(Sgd.) CHARLES E. YEATER
Acting Governor-General

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 5]

MANILA, July 3, 1922

To all Chiefs of Bureaus and Offices:

Section 288 of the Administrative Code as amended by Act 2990 authorizes the commutation of accrued leave. In order that the provisions of this section may better be carried out in connection with section 290 of the Code, which provides that no person whose leave has been commuted *shall be permitted to return to duty without first refunding the value of the unused portion of the leave commuted*, it is incumbent upon administrative officials to see to it that no person is recalled to duty prior to the expiration of his leave commuted and to that effect the following procedure is hereby outlined:

Where a person applies for the *commutation* of his accrued leave favorable recommendation thereon should not be made, unless the Chief of Bureau or Office concerned is absolutely certain that the applicant's services will not be required during the period of the leave to be granted. In a contrary case recom-

mendation should be made to the effect that commutation of the leave to be granted be paid monthly. This will obviate the necessity for refund of a considerable amount or of any amount at all, for if a person has gone on long leave and has obtained commutation of the first month of his leave, the official concerned would still have occasion to determine whether further commutation may properly be authorized.

In all cases of request for commutation of leave the Chief of Bureau or Office concerned shall make a specific statement as to whether or not the applicant's recall to duty before the expiration of his leave is likely to occur.

(Sgd.) JOSE GIL
Acting Director

Approved:
(Sgd.) LEONARD WOOD
Governor-General

THE GOVERNMENT OF THE PHILIPPINE ISLANDS
BUREAU OF CIVIL SERVICE

[CIRCULAR NO. 6]

MANILA, March 1, 1923

To all Chiefs of Bureaus and Offices:

Sections 1 (a) and 2 (a) of Civil Service Rule 16 prescribe that applications for accrued and vacation leave be submitted two weeks and one week respectively in advance of the time the leave takes effect. It is also required that the applications be immediately transmitted to this Bureau the purpose being apparently to afford this Office ample time for the computation of the leave allowable and for returning the papers duly acted upon. There is barely any need to state that rush work exposes the worker to more or less serious mistakes, particularly if the work involves complicated computation as is true in a good many cases. During the last few months leave papers have been brought to this Bureau by special messengers or the applicants themselves (using official time when the applications should have been sent in the regular way) a day or two before the effective date of the leave applied for, and, in some cases, on the very same date the leave went into effect, with the request that action on the matter be expedited. There have been numerous instances and this Bureau feels to have been, in an appreciable way, hampered in its work.

In view of the foregoing and of the fact that commutation of leave to be spent in the Islands requires the specific approval of the Department Head concerned it is earnestly requested that all chiefs of bureaus and offices see to it that applications for accrued leave, particularly those requiring immediate attention, are submitted to this Bureau sufficiently in advance to make possible its return on time to the office concerned. The chiefs of bureaus and offices are also requested to see to it that their employees are not authorized to call at this Bureau merely to ask that action on their papers be expedited unless the necessity for such a course is unavoidable, as on such occasions where the circumstances which bring about the sudden necessity for applying for leave cannot be foreseen, and the matter must be settled at an early date. It is likewise requested that this circular be brought to the attention of all officials and employees.

JOSE GIL

Director

Approved:

(Sgd.) LEONARD WOOD

Governor-General

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